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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, June 8, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

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MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Sandoval, Daly, McGoldrick, Peskin, Gonzalez	2nd, 3rd, 4th Thursday 10:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Ma was noted absent.

Supervisor Ma was noted present at 2:49 p.m.
Supervisor Hall was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Hall Excused From Attendance

Supervisor Daly, seconded by Supervisor McGoldrick, moved to excuse Supervisor Hall from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Peskin, moved to approve April 27, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the City Services Committee

040394 **[Liquor License Transfer, Bay and Mason Streets, San Francisco]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from Trader Joe's Market located at 555 Ninth Street, Suite 2, to its new Trader Joe's Store located in the southeast corner of Bay and Mason Streets, San Francisco, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 359-04
ADOPTED

040412 **[Accept-Expend State Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety for a project entitled OTS - "Avoid the 2".

Resolution No. 349-04
ADOPTED

040388 **[Liquor License Transfer, 543 Divisadero Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 700 Geary Street to 543 Divisadero Street (District 5), to Ms. Tesfazgi and Mr. Beshue dba Club Waziema, in exchange for its current Type 42 beer and wine license at the same premises, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 348-04
ADOPTED

040429 **[Liquor License Transfer, 510 Brannan Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1028 Geary Street to 510 Brannan Street (District 6) to Mark Landregan for M & M Assets, Inc. dba The Gallery Lounge on Brannan, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 350-04
ADOPTED

040635 **[Increase patient access to care by removing physical, linguistic and other barriers to care]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $426,085 from the San Francisco Health Plan Access Enhancement Fund (SFHPAEF) to increase patient access to health care services and to enter into an agreement, which includes an indemnification clause, for the use of these funds; for the period of January 1, 2004, to June 30, 2006. (Public Health Department)

Resolution No. 353-04
ADOPTED

Recommendation of the Finance and Audits Committee

040594 **[Board approval for contracting out personal services]**
Supervisors Maxwell, Ammiano, Peskin, Daly

Ordinance amending the San Francisco Administrative Code, by adding Sections 2.15, 2.16, and 2.17 to require a supplemental report from departments seeking Board approval to contract out personal services under Charter Section 10.104(15), to require the Controller to prepare an annual report on such contracts, and to set deadlines for departmental submission of requests to the Controller and the Board of Supervisors for certification to enter into such contracts.

Ordinance No. 105-04
FINALLY PASSED

Recommendations of the Land Use Committee

040442 **[Designating 1305 18th Avenue, the Carnegie Sunset Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell, Ma, Gonzalez

Ordinance designating 1305 18th Avenue, the Carnegie Sunset Branch Library as Landmark No. 239 Pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Ordinance No. 106-04
FINALLY PASSED

040450 **[Designating 3150 Sacramento Street, the Carnegie Presidio Library, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, McGoldrick, Maxwell, Gonzalez, Alioto-Pier

Ordinance designating 3150 Sacramento Street, the Carnegie Presidio Branch Library as Landmark No. 240 Pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code. (Planning Department)

Ordinance No. 107-04
FINALLY PASSED

Recommendations of the Rules Committee

040434 **[Settlement of Claim - State Farm Insurance Company as Subrogee for Ginny Pizzardi]**
Resolution approving the settlement of the unlitigated claim filed by State Farm Insurance Company as Subrogee for Ginny Pizzardi against San Francisco for $27,904.60; Claim No. 04-01488 was filed on November 25, 2003. (City Attorney)

Resolution No. 351-04
ADOPTED

040494 **[Settlement of Lawsuit - Novoa-Huf, et al.]**
Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for $175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al. (City Attorney)

PASSED, ON FIRST READING

040572 **[Settlement of Lawsuit - Doug Barkus]**

Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for $57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040627 **[Appointment-Immigrant Rights Commission]**

Resolution appointing Phu Nguyen, term ending June 6, 2005, to the Immigrant Rights Commission.

Phu Nguyen, succeeding himself, term expired, seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco; for the unexpired portion of a two-year term ending June 6, 2005.

Resolution No. 352-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

REGULAR AGENDA

NEW BUSINESS

Recommendation of the City Services Committee

040552 **[Urging the Transfer and Relocation of the Elephants at the San Francisco Zoo]**
Supervisors Ma, Dufty

Resolution urging the San Francisco Zoological Society to transfer ownership of and relocate elephants Lulu and Tinkerbelle to a credible sanctuary and to make the move in compliance with applicable state and federal regulations, and to immediately bring into the zoo representatives of the sanctuary to begin the transfer process.

Amended on page 2, line 8, by replacing the word "directs" with the word "urges".
Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

Resolution No. 360-04

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

Recommendations of the Finance and Audits Committee

040493 **[Real Property Transfer Tax]**
Supervisors Dufty, Ammiano, Daly

Ordinance amending Article 12-C of the San Francisco Business and Tax Regulations Code (Real Property Transfer Tax Ordinance) to conform and clarify exemptions for transfers of real property between spouses and domestic partners, and to divide assets upon dissolution of marriage or domestic partnership.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

040598 **[Neighborhood Historic Resources Preservation Bonds]**
Supervisors Peskin, McGoldrick, Ammiano, Sandoval

Resolution determining and declaring that the public interest and necessity demand improvements in the City and County of San Francisco consisting of financing the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County of San Francisco and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes, that the estimated cost for the improvements described above is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness of $60,000,000; finding that the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and the General Plan consistency requirement of Administrative Code Section 2A.53.

Resolution No. 361-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

Recess

The Board recessed at the hour of 2:59 p.m.

Reconvening of the Board

The Board at the hour of 3:54 p.m.reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Gonzalez, Ma, Maxwell, Peskin, - 6

Quorum present.

Supervisors Dufty and Sandoval were noted present at 3:59 p.m.
Supervisor McGoldrick was noted present at 4:00 p.m.
Supervisor Alioto-Pier was noted present at 4:05 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Peskin introduced, welcomed and presented Certificates of Honor to students of Garfield Elementary School.
Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to members of the Asthma Task Force.
Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to members of the Ella Hill Hutch Community Center.

SPECIAL ORDER 4:00 P.M.

Supervisor Sandoval, seconded by Supervisor Daly moved to continue these matters to June 15, 2004.
Supervisor Sandoval withdrew his motion.

040616 **[Public Hearing - Appeal, FEIR for the proposed Transbay Terminal/Extension of Caltrain /Redevelopment Project at 425 Mission Street]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Case No. 2000.048E, dated April 22, 2004, for the proposed Transbay Terminal/Extension of Caltrain/ Redevelopment Plan generally bounded by Mission, Main, Spear, Folsom, Essex, I-80, Second and Minna Streets; and the track alignment is under Townsend and Second Streets located at 425 Mission Street. (Appellants: Timothy A.Tosta on behalf of Myers Natoma Venture, LLC and Myers Development Company; Oliver L. Holmes; and Joseph J. Brecher representing 14 appellants).

(Dates Filed: 5/10/04 and 5/12/04; companion measure to Files 040629, 040630, 040631.)

Continued to June 15, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

(Only one of the following two motions should be adopted.)

040629 **[Affirming certification of the final environmental impact report for the Transbay Terminal]**

Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Continued to June 15, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

040630 **[Reversing certification of the final environmental impact report for the Transbay Terminal]**

Motion reversing the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Continued to June 15, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

040631 **[Preparation of findings for the final environmental impact report for the Transbay Terminal]**

Motion directing the Clerk of the Board to prepare findings concerning the Board of Supervisors' action on the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Continued to June 15, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Male Speaker; free speech
Rich Flores; opposed Item 28
Jesse Ralph, Attorney for Marilyn Robertson and Briar Tazuk; installation of a second multi-wire utility pole and litigation matters
Peter Warfield; grateful for the creating of Library Citizens Advisory Committee
Tom Jones; SFPD issues, non-profit organization harassment
Earl Rodgers, Pastor, Rescue Mission; grateful for support

Recommendation of the Rules Committee

040721 **[Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

Continued to June 22, 2004

Supervisor Alioto-Pier, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

From Rules Committee with Recommendation "Do Not Pass"

040573 **[Settlement of Lawsuits]**

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

Supervisor Maxwell dissented in Committee.

Continued to June 22, 2004

Supervisor Alioto-Pier, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

CLOSED SESSION

040711 **[Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation. (City Attorney)

Continued to June 22, 2004

Supervisor Alioto-Pier, seconded by Supervisor Peskin, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Hall

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040691 **[Commending Public Utilities Commission General Manager Patricia E. Martel]**
Supervisor Dufty

Resolution commending Public Utilities Commission General Manager Ms. Patricia E. Martel.

Resolution No. 354-04
ADOPTED

040692 **[Commending City Librarian Susan Hildreth]**
Supervisors Dufty, Alioto-Pier, Peskin

Resolution commending City Librarian Susan Hildreth upon her departure from San Francisco to be the Director of the Tucson-Pima Public Library in Tucson, Arizona.

Supervisors Alioto-Pier and Peskin requested to be added as co-sponsors.

Resolution No. 355-04
ADOPTED

040693 **[Gift-in-Place to the Recreation and Park Department]**
Supervisor Ma

Resolution accepting and expending a gift-in-place, valued at up to $12,000,000, from the Stern Grove Festival Association to the Recreation and Park Department to fund construction for the renovation of Concert Meadow facilities in Sigmund Stern Grove and Pine Lake Park.

Resolution No. 356-04
ADOPTED

040768 **[Commending Human Resources Director Andrea Gourdine]**
Supervisor Dufty

Resolution commending Human Resources Director Andrea Gourdine upon the occasion of her retirement.

Resolution No. 357-04
ADOPTED

040769 **[Waiving deadlines pursuant to Section 2.34 of the Administrative Code - Housing Bond Resolution of Public Interest and Necessity]**
Supervisor Gonzalez

Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code, allowing the Housing Bond Resolution of Public Interest and Necessity (Board File No. 040658) to be adopted less than 141 days before the November 2, 2004 Election.

Resolution No. 358-04
ADOPTED

040662 **[Final Map for a 12 Unit Residential Condominium Project]**
Motion approving Final Map of 348 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 334, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 174,809; District 6.)

Motion No. M04-63
APPROVED

040678 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-64
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

Severed From Without Reference to Committee

Supervisor Daly requested that this matter be severed so that it might be considered separately.

040679 **[Committee of the Whole - Health service reductions (Bielenson Hearing)]**
Supervisor Sandoval

Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 15, 2004 at 3:00 p.m.

Motion No. M04-65

APPROVED by the following vote:
Ayes: 6 - Alioto-Pier, Dufty, Ma, McGoldrick, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Gonzalez, Maxwell
Excused: 1 - Hall

Supervisor Alioto-Pier requested that this matter be severed so that it could be considered separately.

040694 **[Commending Reclaim the Commons Mobilization]**
Supervisor Ammiano

Resolution commending Reclaim the Commons Mobilization for their concern for the health, safety, and well-being of the public and the environment, upholding San Francisco resolution no. 012-00-COE and the Precautionary Principle ordinance of 2003.

REFERRED to the Land Use Committee.

Supervisor McGoldrick requested that this matter be severed so that it could be considered separately.

040695 **[Opposing State Budget cuts to Child Care, Temporary Assistance to Needy Families, and In Home Support Services]**
Supervisor Daly

Resolution urging the State Legislature to oppose Governor Schwarzenegger's proposed budget cuts to Child Care, Temporary Assistance to Needy Families (TANF), and In Home Support Services (IHSS), urging the San Francisco's state legislative delegation to lead the way in finding additional resources, and urging Mayor Gavin Newsom to mitigate impending cuts.

Amended on page 1, line 7, by deleting "and urging Mayor Gavin Newsom to mitigate impending cuts" and on page 3, line 24, by deleting "Further Resolved, That the Board of Supervisors urges the Mayor to mitigate impending cuts to the IHSS." New Title

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

Resolution urging the State Legislature to oppose Governor Schwarzenegger's proposed budget cuts to Child Care, Temporary Assistance to Needy Families (TANF), and In Home Support Services (IHSS), urging the San Francisco's state legislative delegation to lead the way in finding additional resources.

Resolution No. 362-04

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040801 **[MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040802 **[MOU - Cement Masons, Local 580]**
Mayor

Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040803 **[MOU - Plasterers and Shophands, Local 66]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/4/04, RECEIVED AND ASSIGNED to Budget Committee.

040804 **[MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040805 **[MOU - Teamsters, Local 853]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040806 **[MOU - Teamsters Local 856 (Multi-Unit)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040807 **[MOU - Municipal Attorneys Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040808 **[MOU - Municipal Executives Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040809 **[MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040810 **[MOU - Service Employees International Union, Locals 250, 535 and 790]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040811 **[MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040812 **[MOU - Union of American Physicians and Dentists (Unit 8-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040813 **[MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040814 **[MOU - Transport Workers' Union, AFL-CIO Local 200]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040815 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040816 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040817 **[MOU - San Francisco District Attorney Investigator's Association]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040819 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
6/8/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.
6/9/04, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

040820 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040824 **[Transferring the powers and duties of the Taxi Commission to Municipal Transportation Agency's Board of Directors; and Setting Operative Date for Transfer]**
Mayor

Ordinance transferring the powers and duties of the Taxi Commission to Municipal Transportation Agency's Board of Directors; creating position of Deputy Director for Taxi Regulation within the Municipal Transportation Agency; and urging the Municipal Transportation Agency Board of Directors to prepare legislation and regulations to implement transfer of jurisdiction over motor vehicles for hire.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040786 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040787 **[MOU - Building Inspectors' Association (6334 Chief Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040788 **[MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040789 **[MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040790 **[MOU - Sheet Metal Workers International Union, Local 104]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040791 **[MOU - International Alliance of the Theatrical Stage Employees, Local 16]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040792 **[MOU - International Federation of Professional and Technical Engineers, Local 21]**
Mayor

Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040793 **[MOU - Northern California Carpenters Regional Council, Local 22]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040794 **[MOU - Laborers International Union, Local 261]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040795 **[MOU - Operating Engineers, Local 3]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040796 **[MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040797 **[MOU - Teamsters, Local 350]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040798 **[MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040799 **[MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040800 **[MOU - Painters Union Local District Council #8, Local 4]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040834 **[Hotel Tax Allocation for Cultural Centers]**
Supervisors Ammiano, Daly

Ordinance amending Section 515.01 of Article 7 of the San Francisco Business and Tax Regulations Code to change the annual allocation of revenues from the Tax on the Transient Occupancy of Hotel Rooms ("Hotel Tax") for the Arts Commission to support City-owned community cultural centers ("Allocation No. 11") to: (1) limit the use of Allocation No. 11 funding to seven community cultural centers that serve African American, Asian, Pacific Islander, Latino, Native American and lesbian, gay, bisexual and transgender ("LGBT") communities; (2) eliminate the following conditions, limitations and restrictions on the release of funds to community cultural centers under Allocation No. 11 that presently require: (i) the City and County of San Francisco ("City") to own the community cultural centers receiving Hotel Tax funds, (ii) the Arts Commission to approve an annual report from the cultural centers demonstrating that their governing boards are dedicated to community outreach, fundraising, and advocacy by convening on at least six occasions during the prior fiscal year, (iii) the cultural centers to have met revenue targets in the prior fiscal year from sources other than Hotel Tax revenues, (iv) the Controller to certify calculations used to reduce amounts released to a cultural center if it failed to meet its non-Hotel Tax revenue target in the prior fiscal year, and (v) the Controller to perform a financial review of the cultural center within the previous four years; (3) require the Arts Commission to seek additional funding from private sources on behalf of the seven cultural centers that receive Hotel Tax revenues; (4) limit the amount of Hotel Tax revenues the Arts Commission may use annually for the administration of Allocation No. 11 to two percent (2%) of the amount available under Allocation No. 11 for the fiscal year; (5) require the Arts Commission to obtain the consent of the seven cultural centers for the Arts Commission to provide services to the cultural centers in addition to the administration of Allocation No. 11; (6) require the City to disburse funds under Allocation No. 11 to the cultural centers in equal quarterly installments; (7) authorize the seven cultural centers receiving Allocation No. 11 funding to apply for additional funding from any City program; and (8) authorize the seven cultural centers to use Allocation No. 11 funding for cultural performances, events, education, workshop, exhibits, recreation and other cultural activities occurring anywhere in the San Francisco Bay Area.
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040835 **[Reappropriate projected surplus from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year]**
Supervisors Daly, Gonzalez

Ordinance appropriating $1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040836 **[Zoning Map Amendment - 107 24th Avenue]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification of the property zoned RH-1 and located at 107 24th Avenue.
6/8/04, RECEIVED AND ASSIGNED to Land Use Committee.

040759 **[Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]**

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 2A.221 and 91.2, and amending the San Francisco Police Code by amending sections 4903, 4904, 4905, 4908 and 4910 to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner and Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

6/8/04, ASSIGNED to Budget Committee.

040758 **[Business Tax]**
Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/8/04, ASSIGNED to Finance and Audits Committee.

040761 **[Neighborhood beautification]**

Ordinance amending the San Francisco Administrative Code by amending section 10.100-114 to conform with prior initiative ordinance. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

6/8/04, ASSIGNED to Rules Committee.

Resolutions

040782 **[Fiscal Emergency/Proposition J Contract - Jail Health Services]**
Mayor

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that jail health services, including psychiatric and medical care, and pharmaceutical supplies, can be practically performed by a private contractor at a lower cost than by City and County employees.

6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040783 **[Fiscal Emergency/Proposition J Contract - Laundry Services at Laguna Honda Hospital]**
Mayor

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that laundry services can be performed for the Department of Public Health, Laguna Honda Hospital by a private contractor for a lower cost than similar work performed by City and County employees and approving the Proposition J Resolution for the period July 1, 2004 through June 30, 2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040784 **[Treasure Island Development Authority Budget]**
Mayor

Resolution approving the budget of the Treasure Island Development Authority for Fiscal Year 2004-2005 and authorizing the Treasure Island Development Authority to enter into an Agency Agreement with the San Francisco Redevelopment Agency for the provision of employee services.

(Fiscal impact.)
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040785 **[Fiscal Emergency Proposition J Contract - Mainframe Support]**
Mayor

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040821 **[2005 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 12 (Series 2005A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040822 **[Interdepartmental jurisdictional transfer of a portion of the Youth Guidance Center site]**
Mayor

Resolution Transferring Jurisdiction of Approximately Two Acres of the Youth Guidance Center Property, Located at 375 Woodside Avenue, San Francisco, and Identified as a Portion of Assessor's Block 2842, Lot 007, from the Juvenile Probation Department to the Real Estate Division of the Administrative Services Department To Hold in Trust for the Superior Court of the City and County of San Francisco for Future Court Uses In Exchange for the Fair Market Value of the Property; and Adopting Findings that the Transfer of Jurisdiction Is Consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

6/8/04, RECEIVED AND ASSIGNED to Land Use Committee.

040823 **[Homeland Security Grants]**
Mayor

Resolution amending Resolution No. 131-03 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

6/8/04, RECEIVED AND ASSIGNED to City Services Committee.

040826 **[Agreement for naming rights]**
Mayor

Resolution approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for naming rights at the stadium.

Supervisor Daly dissented in Committee.

6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040827 **[Amendment to Paratransit Broker Agreement]**
Mayor

Resolution approving Amendment No. 3A to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to increase the contract amount by $15,308,656 for a total contract amount not to exceed $92,641,933, in order to meet the increased demand and costs for paratransit service during the term of the Agreement.

(Fiscal impact.)

6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040832 **[Traffic Regulations]**
Supervisors Dufty, Ammiano

Resolution enacting traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
San Jose Avenue at Randall Street; and Guerrero Street, southbound at 24th Street.
6/8/04, RECEIVED AND ASSIGNED to Land Use Committee. 07/20/04 - Referred to Parking and Traffic for posting and advertised in the SF Independent for the August 9, 2004 meeting of the Land Use Committee.

040833 **[Housing Bonds]**
Supervisors Gonzalez, Daly, Ammiano, McGoldrick, Sandoval, Peskin, Dufty

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

(6/18/04, Supervisor Peskin dissenting in committee)
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040837 **[Funding departmental energy use]**
Supervisor Daly

Resolution calling and providing for a Special Election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 4, 2004 a proposition for the issuance of lease revenue bonds, notes and/or other forms of lease financing by the City and County of San Francisco (or one of its agencies, departments or enterprises) in a principal amount not to exceed $250,000,000 to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment and other efficiency measures; consolidating said Special Election with the General Municipal Election to be held on November 4, 2004; and finding the proposed project is in conformity with the priority of Planning Code Section 101.1 (b) and the City's General Plan.
6/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040838 **[Commending Instituto Laboral de la Raza]**
Supervisors Ammiano, Daly

Resolution commending Instituto Laboral de la Raza on the occasion of their Annual Labor Awards Dinner, and, because of their compassionate work for the protection of all workers, but especially the rights of immigrant workers and because of their commitment to building a strong and united San Francisco, declare Friday, June 11, 2004, as Workers Rights Day.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040839 **[Accept-Expend State Grant - MTA, DPT]**
Supervisors Ammiano, Dufty

Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $100,359 from the California Department of Transportation for an Environmental Justice Planning grant to produce a comprehensive community-based pedestrian and traffic safety plan for Valencia Street.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040840 **[Commending Laura Ware]**
Supervisor Daly

Resolution commending Laura Ware for 14 years of service at Community Housing Partnership and declaring June 30, 2004 Laura Ware Day.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040841 **[Urging United States Postal Service to recognize Single Room Occupancy as permanent housing]**
Supervisors Daly, Dufty

Resolution urging the United States Postal Service to recognize Single Room Occupancy as permanent low-cost housing for many San Franciscans, and to afford residents the right to receive their mail with the same security and privacy as tenants of traditional apartments.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040842 **[Honoring Andrew Goodman, Michael Schwerner, and James Chaney]**
Supervisors Dufty, Daly

Resolution honoring civil rights workers Andrew Goodman, Michael Schwerner, and James Chaney upon the fortieth anniversary of their death.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040843 **[Bike Plan Update and the Transportation Authority]**
Supervisors Gonzalez, Daly

Resolution urging the Transportation Authority to facilitate the completion and adoption of the San Francisco Bike Plan Update by procuring consulting services necessary to develop required traffic and environmental analysis in a timely fashion and urging the Planning Department to provide to the Board of Supervisors and the Transportation Authority by July 1st, 2004 the specific criteria against which the environmental analysis will be evaluated.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040844 **[Condemning Attacks on North Beach Art Galleries]**
Supervisors Peskin, Daly, Alioto-Pier, Ammiano, Gonzalez

Resolution condemning recent attacks on North Beach art galleries and urging the San Francisco Police Department and District Attorney's Office to cooperate and collaborate in ensuring the free speech rights of San Francisco's arts community.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040845 **[Philippine Heritage Day]**
Supervisors Ma, Daly

Resolution recognizing Philippine Heritage Day in the City and County of San Francisco.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040848 **[Urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products]**
Supervisor Maxwell

Resolution urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040849 **[Gift in Place to the Recreation and Park Department]**
Supervisor Maxwell

Resolution accepting and expending a gift in place valued at $250,000 from the Trust For Public Land to the Recreation and Park Department for India Basin Shoreline Park.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040850 **[Urging peaceful resolution of grocery workers contract negotiations]**
Supervisor McGoldrick

Resolution urging parties to the upcoming Grocery Store union contract negotiations to bargain in good faith to reach a fair and equitable collective bargaining agreement.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040851 **[Commending Craigslist]**
Supervisor McGoldrick

Resolution commending Craigslist for their success serving and building community among the residents of the City and County of San Francisco, and declaring October 10, 2004 as "Craigslist Day" in the City and County of San Francisco.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040852 **[Declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco"]**
Supervisor McGoldrick

Resolution declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco".
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040853 **[Proclaiming June 15, 2004 as Prescription Drug Awareness Day]**
Supervisors Sandoval, Peskin

Resolution proclaiming June 15, 2004 as Prescription Drug Awareness Day in the City and County of San Francisco.
6/8/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040694 **[Commending Reclaim the Commons Mobilization]**
Supervisor Ammiano

Resolution commending Reclaim the Commons Mobilization for their concern for the health, safety, and well-being of the public and the environment, upholding San Francisco resolution no. 012-00-COE and the Precautionary Principle ordinance of 2003.
5/25/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
6/8/04, REFERRED to Land Use Committee.

Requests for Hearing

040770 **[Annual Budget, Fiscal Year 2004-2005]**
Hearing to consider the Mayor's proposed budget for Fiscal Year 2004-2005. (Mayor)
6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040774 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Metropolitan Transportation Agency, Taxi Commission, Port Commission, Retirement System, Rent Board, Child Support Services, Children & Families Commission, and City Attorney for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040775 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Airport Commission, Public Utilities Commission, Department of the Environment, Redevelopment Agency, and Treasure Island for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040776 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Administrative Services, Medical Examiner, Convention Facilities Management, Assessor, Board of Supervisors, Mayor, Controller, City Planning, Civil Service Commission, Ethics Commission, Human Resources, Elections, Treasurer/Tax Collector, Public Finance & Business Affairs (Economic Development), General City Responsibility, Asian Art Museum, Art Commission, Fine Art Museum, Academy of Sciences, and War Memorial for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040777 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Aging & Adult Services, Children, Youth & Families, County Education Office, Department of Human Services, Department of the Status of Women, Human Rights Commission, Department of Public Health, Recreation & Park, Library, and Law Library for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040778 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Juvenile Probation, Adult Probation, Trial Courts, District Attorney, Public Defender, Sheriff, Police, Entertainment Commission, Fire, Emergency Communications, Department of Building Inspection, Department of Public Works, Board of Appeals, and Telecommunication & Information Services for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040779 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Metropolitan Transportation Authority, Taxi Commission, Port Commission, Retirement System, Rent Board, Child Support Services, Children & Families Commission, Airport Commission, Public Utilities Commission, Department of the Environment, Redevelopment Agency, Treasure Island, Administrative Services, Medical Examiner, Convention Facilities Management, Assessor, Board of Supervisors, Mayor, City Attorney, Controller, and City Planning for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040780 **[Budget Hearing and Review, FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Civil Service Commission, Ethics Commission, Human Resources, Elections, Treasurer/Tax Collector, Public Finance & Business Affairs (Economic Development), General City Responsibility, Asian Art Museum, Art Commission, Fine Art Commission, Academy of Sciences, War Memorial, Aging & Adult Services, Children, Youth & Families, Department of Human Services, Human Rights Commission, Department of the Status of Women, and Department of Public Health for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040781 **[Annual Budget, Fiscal Year 2004-05]**
Supervisor Sandoval

Hearing to consider the Annual Budget for the Recreation & Park, Library, Juvenile Probation, Adult Probation, Trial Courts, District Attorney, Public Defender, Sheriff, Police, Fire, Emergency Communications, Department of Building Inspection, Department of Public Works, Board of Appeals, and Telecommunication & Information Services for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040825 **[Input on the City's Budget for FY 2004-2005]**
Supervisor Sandoval

Hearing to consider the public's input on the San Francisco City and County Budget for fiscal year 2004-2005.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

040829 **[Guerrero Street/San Jose Avenue Pedestrian Safety Traffic Study]**
Supervisors Dufty, Ammiano

Hearing to discuss the results of the Guerrero Street/San Jose Avenue Pedestrian Safety Traffic Study and its implementation to promote pedestrian safety.
6/8/04, RECEIVED AND ASSIGNED to Land Use Committee.

040830 **[Proposed San Francisco Electric Reliability Project]**
Supervisor Maxwell

Hearing on the San Francisco Electric Reliability Project, a proposal through which the City would site four publicly owned 48-megawatt combustion turbines (power plants). The hearing will have three focus areas: 1) City energy policy; 2) Community process; 4) Financing and fiscal management.
6/8/04, RECEIVED AND ASSIGNED to City Services Committee.

040831 **[Department of Public Works' Environmental Control Officer (ECO) Status Report]**
Supervisor Peskin

Hearing to review the Department of Public Works' Environmental Control Officer (ECO) Status Report for the first two quarters of Fiscal Year 2004-05. This hearing will scrutinize the number and nature of citations issued by ECO's, the rate of appeals that have prevailed before administrative law judges, the overall cost of the program, the amount of revenue collected through the program and any additional ideas for enhancing revenues through this program.
6/8/04, RECEIVED AND ASSIGNED to Budget Committee.

Motions

040688 **[Open Government Ordinance to provide for more public accessiblity to meetings and documents, more public participation and to safeguard the maintenance of records]**
Supervisor Daly

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)
5/25/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2004.
6/8/04, SUBSTITUTED. Supervisor Daly submitted a substitute Motion bearing same title.
6/8/04, ASSIGNED to Rules Committee.

040828 **[Reducing the size of the Budget Committee to three members year-round]**
Supervisor Gonzalez

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.
6/8/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the Special Rules Committee meeting on June 14, 2004, at 10:30 a.m.

PROPOSED ORDINANCES

040664 **[Settlement of Lawsuit - Joyce Vanman]**
Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for $175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)
5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

040665 **[Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**
Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for $29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)
5/24/04, RECEIVED AND ASSIGNED to Rules Committee.

040697 **[Settlement of Lawsuit - Caleb Mather]**
Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for $45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)
5/20/04, RECEIVED AND ASSIGNED to Rules Committee.

040709 **[Dismissal of Lawsuit - Scott Co. of California, et al.]**
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)
5/28/04, RECEIVED AND ASSIGNED to Rules Committee.

040723 **[Interim Government Funding, Fiscal Year 2004-2005]**

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040724 **[Interim Public Employment, Fiscal Year 2004-2005]**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

(Fiscal impact.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040725 **[Government Funding for Fiscal Year 2004-2005]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040726 **[Public Employment, Fiscal Year 2004-2005]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040729 **[Waiver of storage fees for stolen vehicles owned by residents]**

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040730 **[Establishing Arts Commission Civic Design Review Fees]**

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040731 **[Conduct a Nexus Study On Imposition of the Park Fee on Uses Other Than Office On Geographic Areas of the City Other than C-3 Use Districts]**

Ordinance amending Planning Code Section 139 to provide that $100,000 of Downtown Special Park Fund monies shall be used to fund a nexus study, under the direction of the General Manager of the Recreation and Park Department, to examine whether the Downtown Park Fee should be imposed on uses other than office and on geographic areas of the City other than C-3 use districts and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040732 **[Chlorofluorocarbon Recovery and Recycling Fees]**

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental review.

040733 **[Hazardous Waste Management Fees]**

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040734 **[Medical Waste Generator Registration, Permitting, Inspections Fees]**

Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040735 **[Risk Management Program Fees]**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040736 **[Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]**

Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from $250 to $500. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040737 **[Creating Working Families Credit Program and Fund]**
Supervisors Ammiano, Daly, Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040738 **[Amending the San Francisco Fire Code to Increase Fees for Service]**

Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040739 **[Revising Annual Fire Department Permit Fees]**

Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241,242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at $240 per year, to become operative on January 1, 2005. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040740 **[Minimum Compensation and Health Care Accountability Ordinances]**

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.5, 12Q.4, and 12Q.5 to give contracting departments the authority to conduct audits of contractors with respect to the Minimum Compensation Ordinance and the Health Care Accountability Ordinance. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040741 **[Eligibility of boards and commissions for health benefits]**

Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System. (Mayor)

(Fiscal impact.)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040742 **[Creating fee for investigating the sealing of Juvenile Court records and sealing of Juvenile Court records]**

Ordinance adding Section 8.36-2 to the San Francisco Administrative Code to create fee for investigating the sealing of juvenile court records and for the sealing of such records, and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040743 **[Setting parking fees for City parking facilities]**

Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set parking fees for City parking facilities, and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040744 **[Interdepartmental jurisdictional transfer of surplus property]**
Supervisors Peskin, McGoldrick

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040745 **[Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory maximum fee per unit, owner may recover up to 50 % of fee.]**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Section 37A.2 to reduce the maximum Annual Residential Rent Ordinance Fee from $27 per unit to $26 per unit, and to eliminate the two-year sunset provision enacted in 2002 so that an owner may continue to recover up to $21.50 per unit from tenants; and, making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040746 **[Economic and Workforce Development Department]**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040747 **[Hazardous Materials Fees]**

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040748 **[Patient Rates]**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040749 **[Mayor's Fund for the Homeless]**

Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Human Services. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040750 **[Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040751 **[Transactions and Use Tax]**

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040752 **[Dissolving the Telecommunications Commission]**
Mayor, Supervisors Dufty, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040753 **[Transferring administration of Publicity and Advertising Funds to the Arts Commission]**

Ordinance amending San Francisco Business & Tax Regulations Code sections 515.01(6) and (7) and amending San Francisco Administrative Code section 2A.150 to transfer administration of publicity and advertising funds for cultural and promotional organizations, parades, celebrations and street fairs to the Arts Commission. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040754 **[Office of the City Administrator]**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040755 **[Department of Convention Facilities]**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040756 **[Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]**

Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040757 **[Increasing the Emergency Response Fee imposed on telephone subscribers]**

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040758 **[Business Tax]**

Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/8/04, ASSIGNED to Finance and Audits Committee.

040759 **[Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]**

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 2A.221 and 91.2, and amending the San Francisco Police Code by amending sections 4903, 4904, 4905, 4908 and 4910 to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner and Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

6/8/04, ASSIGNED to Budget Committee.

040760 **[Department of the Medical Examiner]**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040761 **[Neighborhood beautification]**

Ordinance amending the San Francisco Administrative Code by deleting section 10.100-114 to remove duplicative language. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

6/8/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing new title.

6/8/04, ASSIGNED to Rules Committee.

040762 **[Salary and Wage Deductions]**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040763 **[Requiring City departments to offer members of the public the opportunity to request notices by electronic mail]**

Ordinance amending the Administrative Code by adding a new Section 1.57 to require City departments to offer members of the public the opportunity to request notices by electronic mail. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040764 **[Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]**

Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

040766 **[Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]**

Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040767 **[Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]**

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

PROPOSED RESOLUTIONS

040663 **[Contracting out Parking Meter Management System]**

Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

5/24/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040699 **[Design-Build Agreement for a Solar Power Plant at Southeast Water Pollution Control Plant]**

Resolution authorizing the San Francisco Public Utilities Commission's General Manager to sign a Design-Build Agreement (DBA) for $1.8 million between the San Francisco Public Utilities Commission and Sierra Electric, for the turnkey design and construction of a solar power plant at the San Francisco Public Utilities Commission's Southeast Water Pollution Control Plant (SEWPCP). (Public Utilities Commission)

(Fiscal impact.)

5/28/04, RECEIVED AND ASSIGNED to City Services Committee. 7/2/04: Dept. notified of July 8, 2004 meeting.

040708 **[Contracting out Services - Interim Emergency Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles]**

Resolution concurring with Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles than to provide the same services with City and County Employees. (Parking and Traffic Department)

5/28/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040710 **[Contracting Out City Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

5/25/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040727 **[Redevelopment Agency Budget, Fiscal Year 2004-2005]**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005. (Mayor)

(Fiscal impact.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040728 **[Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005. (Mayor)

(Fiscal impact.)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

040765 **[Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]**

Resolution making environmental findings and approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a). (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

Requests Granted

From: Supervisors Ammiano, Dufty
To: Mayor's Budget Office
To: Controller
To: City Administrator
Requesting/Inquiring: To report on the status of payments to non-profit grantees of the Mayor's Neighborhood Beautification Fund.

From: Supervisors Dufty, Ammiano
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting a Pedestrian Safety Traffic Study for Guerrero Street/San Jose Avenue; and to report on implementing the following pedestrian safety improvements in writing within 30 days.
1. Removing a lane of traffic from San Jose Avenue and Randall to Guerrero Streets at Cesar Chavez.
2. Create bicycle lanes in each direction from San Jose Avenue at Randall to Guerrero Streets at Cesar Chavez.
3. Paint a wider crosshatched median strip from San Jose Avenue at 30th to Guerrero at Cesar Chavez, providing a sanctuary for pedestrians caught in the middle of the street.
4. Eliminate the "right turn on red" northbound on Guerrero at Cesar Chavez to improve pedestrian safety.
5. Eliminate the tow-away zone on southbound Guerrero at Cesar Chavez.

From: Supervisors Gonzalez, Maxwell, Dufty
To: Director, Department of Children, Youth & Their Families (DCYF)
Requesting/Inquiring: Requesting the Department of Children, Youth & Their Families advise the Board of Supervisors of the steps being taken to mitigate Ella Hall Hutch's loss of one of its two DCYF grants for youth employment and training.

From: Supervisor Alioto-Pier
To: Director, Department of Public Health
Requesting/Inquiring: To report on the annual number of individuals who enter the San Francisco Department of Public Health system with inquiries that result in permanent physical disability. In addition, the Supervisor inquires how these individuals are tracked following their initial release from the health system and what sort of City services are provided to the individuals for adjusting to their new disability.

From: Supervisor Peskin
To: General Manager, Recreation and Park Department
Requesting/Inquiring: To report on the following:
How much money was slated for Fay Park in the Prop A bond?
What work has been done in Fay Park?
What estimates have been given for the work to be done in Fay Park?
Why are no more funds anticipated for Fay Park?
What is the strategy for renovating Fay Park?
What is the interim use of the building in Fay Park?

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation to waive police service fees incurred by Black Diamond Dynasty for the production of the Bayview Juneteenth Festival in 2002.

In Memoriams

Raymond C. Minkel Jr. (Supervisors Peskin, Alioto-Pier)
Bea Woeste (Supervisors Peskin, McGoldrick)
Anthony Kosturos (Supervisors Sandoval, Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 4:58 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 13, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Tuesday, June 15, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma, Hall	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Daly, McGoldrick and Sandoval were noted absent.

Supervisor Sandoval was noted present at 2:05 p.m.

Supervisor Daly was noted present at 2:06 p.m.

Supervisor McGoldrick was noted present at 2:08 p.m.

Quorum present.

AGENDA CHANGES

CONSENT AGENDA

Recommendation of the Finance and Audits Committee

040493 **[Real Property Transfer Tax]**
Supervisors Dufty, Ammiano, Daly

Ordinance amending Article 12-C of the San Francisco Business and Tax Regulations Code (Real Property Transfer Tax Ordinance) to conform and clarify exemptions for transfers of real property between spouses and domestic partners, and to divide assets upon dissolution of marriage or domestic partnership.

Ordinance No. 108-04
FINALLY PASSED

Recommendations of the Rules Committee

040494 **[Settlement of Lawsuit - Novoa-Huf, et al.]**

Ordinance authorizing the settlement of lawsuit filed by Linda Novoa-Huf, Ayanda Lumpkin and LaKreisha Crawford against the San Francisco Department of Building Inspection, Michael Rodman, and McCoy's Patrol Services for $175,000; the lawsuit was filed on December 3, 2002, in San Francisco Superior Court, Case No. 415266, entitled Novoa-Huf, et al. v. Department of Building Inspection, et al. (City Attorney)

Ordinance No. 109-04
FINALLY PASSED

040572 **[Settlement of Lawsuit - Doug Barkus]**

Ordinance authorizing settlement of the lawsuit filed by Doug Barkus against the City and County of San Francisco for $57,500; the lawsuit was filed on March 4, 2003 in San Francisco Superior Court, Case No. 502-539; entitled Doug Barkus v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 110-04
FINALLY PASSED

040632 **[Settlement of Lawsuit - Michael Stamper]**

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for $157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040634 **[Settlement of Lawsuit]**

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of $140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Finance and Audits Committee

040343 **[Taxi Legislation]**
Supervisors Daly, Ma, Gonzalez

Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040582 **[Modification #9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc. at Terminal 3 of San Francisco International Airport]**
Mayor

Resolution approving and authorizing the execution of Modification # 9 to Lease and Use Agreement No. L-82-0111 with American Airlines, Inc., to reduce terminal space in Terminal 3 of San Francisco International Airport.

Resolution No. 363-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040636 **[Amendment to Lease of Real Property]**
Resolution authorizing the amendment to lease of real property located at 598 Portola, San Francisco, California with Twin Peaks Petroleum, Inc., a California corporation doing business as Twin Peaks Auto Care (Tenant) successor in interest to Michael Gharib. (Real Estate Department)

Resolution No. 364-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040655 **[Mortgage Credit Certificates]**
Supervisor Alioto-Pier

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Resolution No. 365-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040659 **[Refunding San Francisco Courthouse Project Certificates of Participation (Series 1995)]**
Mayor, Supervisor Hall

Resolution approving the execution and delivery of refunding certificates of participation to refinance, in whole and/or in part, the $40,635,000 outstanding Certificates of Participation (San Francisco Courthouse Project) Series 1995; approving the form of a first supplement to property and facility lease by and between the City and County of San Francisco (the "City") and U.S. Bank Trust National Association (the "Trustee"); approving the form of a first supplement to project lease between the Trustee and the City; approving the form of a first supplement to trust agreement between the City and the Trustee; approving the form of an escrow agreement between the City and BNY Western Trust Company; approving the form of the official notice of sale and the notice of intention to sell for the refunding certificates of participation; directing the publication of the notice of intention to sell for the refunding certificates of participation; approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; authorizing the payment of cost of issuance; and ratifying previous actions taken in connection therewith.

Resolution No. 366-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040660 **[Mortgage Revenue Bonds]**
Supervisor Peskin

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of qualified mortgage bonds in an aggregate principal amount not to exceed $25,000,000; authorizing and directing the Director to deposit with the Controller's Office an amount not to exceed $125,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application.

Resolution No. 367-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040680 **[Lease of Property - Empress Hotel]**
Supervisor Daly

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Empress, LLC, as Landlord, for the Empress Hotel located at 144 Eddy Street, San Francisco, CA 94102.

(Fiscal impact.)

Resolution No. 368-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040710 **[Contracting Out City Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

Resolution No. 369-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

Recommendation of the Rules Committee

Supervisor Hall Excused from Voting

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

040539 **[Requirements for Department of Building Inspection Permit Tracking System]**

Supervisors Dufty, Ammiano, Gonzalez, Maxwell

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

From the Rules Committee "Without Recommendation"

Supervisor Hall Excused from Voting

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

031876 **[Regulation of Permit Consultants commonly known as Permit Expediters]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.150 to impose registration and disclosure requirements on permit consultants.

Question regarding Section 5.125, Permit Application Processing, divided and considered separately under File 040907.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Ordinance be DIVIDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.120 and and sections 5.130 to 5.150 to impose registration and disclosure requirements on permit consultants.

NOT PASSED ON FIRST READING AS DIVIDED by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 7 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Hall

040907 **[Permit Application Process]**
Supervisors Daly, Gonzalez

Ordinance amending Article III of the San Francisco Campaign and Governmental Conduct Code by adding Chapter Four, Section 3.400 to require the equal treatment of permit applicants and the adoption of a permit processing code of conduct.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 2 - Ma, Sandoval
Excused: 1 - Hall

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

040681 **[Hearing - Health Service Reductions]**
Supervisor Sandoval

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

Brian Vouglas; Castro-Mission Health Center;
Jennifer Friedenbach, Coalition on Homelessness;
Vicki Legion, Community Health Works, SFSU; laying off of clinic directors;
Sharon Turner, Community Health Works, SFSU, laying off of clinic workers;
Tom Morales; public health budget issues
Julius Cervania; public health budget issues
Toni Yee; public health budget issues
Deborah Brown, MD, Castro-Mission Health Center;
Meredith Florico, Tom Waddell;
Dafna Wu, RN, Castro-Mission Health Center;
Madeline Ritchie, Chinatown Public Health Center;
J. W. Sheffield, Senior Medical Social Worker;
Sandra Asohino; social workers' cuts;
Susan Schneider, Senior Medical Social Worker, Laguna Honda Hospital;
Yeketta Marbly, Epiphany House Residential;
Robyn Few, Sex Workers Outreach Project;
Paul Miller;
Stan Lipsitz, PhD, Director, Team II Clinic Relocation;
Tami Twurog;
Richard McKinley;
Lan Ung;
Judy Bachman, Manager, Department of Public Health;
Jukita Marley;
John Kelly;
Marc Dyer; Castro-Mission Health Center I
Mark Palcanis, 2922 Senior Medical Social Worker; doesn't want positions eliminated;
Danielle Satinover;
Ma Anano Rekita; opposes budget cuts at Tom Waddell (Urgent Care);
Evangelista La Vonne McIntosh; opposes health care cuts;
Walker Langston Dukes; opposes Tom Waddell Clinic cuts;
Vernon Jenkins;
Abdalla Megahed;
Kent Woo, Executive Director, NIKO; opposes cuts at Chinatown Public Health Center;
Vic Yahoo; opposes cuts at Chinatown Public Health Center;
Bonding Joe; opposes cuts at Chinatown Public Health Center;
Carol Jung; opposes cuts at Chinatown Public Health Center;
Stanley Miller;
Ricardo Duarte, 50% Nurse Manager, Castro-Mission Health Center; opposes cuts at Health Center;
Kitty Kastro, Save Our Services (S.O.S.); opposes health service cuts;
Female Speaker; opposes cuts to Mission Mental Health;
Hillary Brown;
Bruce Folsom, Southeast Mission Geriatrics; opposes cuts to organization;
Eleanor Arms; opposes health budget cuts;
Willy Wilkinson, Transgender Law Center; opposes cuts to Center;
D. S. Miller, Director, Southeast Health Center; opposes cut to Center;
Male Speaker; opposes cuts to Tom Waddell Clinic;
Pearl Cutino; opposes cuts to Silver Avenue Family Health Center;
Richard Cutino; opposes cuts to Silver Avenue Family Health Center;
Cheryl Dawson, Program Manager, Epiphany House; opposes cut to House;
Jennifer McGuy;
Kendra Blewitt; opposes Tom Waddell cuts;

D. Anderson; opposes Tom Waddell cuts;
Rebecca Morrow, Public Health Nurse;
Fred Milligan, Assistant Director, Tom Waddell Health Center; opposes cuts to Urgent Care services at Tom Waddell;
Joanna Chestnut, Epiphany Center; wants to keep Epiphany House open;
April Lax, Senior Social Worker;
Ines Ascencio; elimination of 2922/2924 Social Worker classifications;
Joe Headlee, Supervisor Social Worker, San Francisco General Hospital; opposes Social Worker cuts;
Michelle Dixteen, RN, Tom Waddell; opposes cuts to Urgent Care at Tom Waddell;
Francisco Da Costa; opposes health cuts;
Patrick Monette-Shaw;
Cathy Davis, Director, Bayview Hunters Point Adult Day Health; opposes Health Department cuts;
Espanola Jackson; opposes Department of Public Health cuts to indigent;
Female Speaker, Tom Waddell Health Center;
Sherri Barnes, nurse at Tom Waddell; opposes cuts to Urgent Care at Tom Waddell;
Alison Grillo; opposes budget cuts at Tom Waddell;
Elaine Samuels, nurse; opposes privatization of jail health services;
Robert Harland (speaking for Josie Moonie);
Theresa D.;
Daniel Turbin; opposes contracting out jail health services;
Paul Kelley, Social Worker at Laguna Honda Hospital; opposes cuts in social service;
Michael Lyon, Pharmacy Oversight Committee; opposes Health Department cuts;
Iris Biblowitz, nurse at Tom Waddell; opposes cuts to Tom Waddell;
Male Speaker; opposes cuts to Tom Waddell;
Brent Patterson; opposes cuts to Tom Waddell;
Sasha Cuttler; opposes interpreter cuts;
Rosario Gomez; opposes cuts to interpreter services;
Male Speaker; opposes cuts to interpreter services;
Jean Balibrera, nurse at Tom Waddell, opposes cuts to Tom Waddell;
Yue Wah Yu; opposes health cuts;
Female Speaker;
Deng Qing Zhi;
Mary Magee, nurse at San Francisco General Hospital; opposes General Hospital interpreter cuts;
Rhonda Giarretto, Public Health nurse at Tom Waddell;
Dawnne Woodie; Transgender Life Care Project;
Hywel Sims, Shanti; opposes cuts to services;
James Thompson, Shanti; cuts to services;
Mark Misrok, Positive Resource Center; cuts to service;
Jerry Berbiar; opposes cuts to Castro-Mission Health Center;
Martha Hawthorne, Public Health nurse; opposes cuts at Castro-Mission Health Center;
Reuben Goodman; opposes cuts to Tom Waddell;
M. Brown; Transgender Life Care Project;
Eduardo Bonsi; opposes health care cuts;
Female Speaker; interpreters;
Female Speaker, Doctor at Tom Waddell;
Jane Morrison;
Paul Quick, MD, Tom Waddell; opposes health care cuts.

HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Ralph House, President, Bayview Hill Neighborhood Association.
Supervisor McGoldrick introduced, welcomed and presented a resolution to Craig Newmark.
Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to Nicole Derse.
Supervisor McGoldrick presented a proclamation to the President of the United Humanitarian Mission.

SPECIAL ORDER 4:00 P.M.

040616 **[Public Hearing - Appeal, FEIR for the proposed Transbay Terminal/Extension of Caltrain /Redevelopment Project at 425 Mission Street]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Case No. 2000.048E, dated April 22, 2004, for the proposed Transbay Terminal/Extension of Caltrain/ Redevelopment Plan generally bounded by Mission, Main, Spear, Folsom, Essex, I-80, Second and Minna Streets; and the track alignment is under Townsend and Second Streets located at 425 Mission Street. (Appellants: Timothy A.Tosta on behalf of Myers Natoma Venture, LLC and Myers Development Company; Oliver L. Holmes; and Joseph J. Brecher representing 14 appellants).

(Dates Filed: 5/10/04 and 5/12/04; companion measure to Files 040629, 040630, 040631.)

Jan Matthews, South Beach SOMA Coalition, appellant
Karen O'Donald, represents Oliver Holmes, appellant
Oliver Holmes, appellant
Timothy Tosta, Myers Development Company, appellant

Female Speaker; support of appeal
David Gleeson; support of appeal
Elle Holman; support of appeal
Eliot Ross; support of appeal
Chris DeCenzo; support of appeal
Eduardo Bonsi; support of appeal
Kerri Stephens; support of appeal
John Gasser; support of appeal
William Whiteside; support of appeal
Francis Mathews, South Beach SOMA Coalition; support of appeal
Jewa Jamason; support of appeal
Molly Last; support of appeal
Bruce Barnes; support of appeal
Jack Myers, Chairman and Chief Executive Officer, Myers Development Co.; support of appeal

The Board reviewed various issues relating to the appeal from Myers Natoma Venture, LLC and Myers Development Company with:
Maria Ayerdi, Executive Director, Transbay Joint Powers Authority
John Cooper, Deputy City Attorney

Ron Klemencic, Structural Engineer, MKA; support of appeal
Jeffrey Heller, Heller-Mass Architects; support of appeal
Steve Atkinson, Steefel Levitt & Weiss; support of appeal

Paul Maltzer, Planning Department
Joan Kugler, Environmental Analysis Division, Planning Department
John Malamut, Deputy City Attorney

Greg Harper, Vice Chair, Transbay Joint Power Authority, and AC Transit; Project Sponsor
Tom Radulovich, BART Director, Project Sponsor
Denise La Pointe
Mr. Manson, Project Sponsor

David Schonbrunn; opposes appeal
H. E. Christian (Chris) Peeples, Alameda-Contra Costa Transit District; opposes appeal
Male Speaker; opposes appeal
Sharon Johnson, on behalf of Senator Burton; opposes appeal
Jane Morrison; opposes appeal
Norman Rolfe; opposes appeal
Rebecca Kaplan, Board Member, AC Transit; opposes appeal
Ian McAvoy, Chief Development Officer, JPB Caltrain; opposes appeal

Margaret Okuzumi; opposes appeal
Alan Miller, Executive Director, Train Riders Association of California; opposes appeal
Daniel Murphy, Vice Chair, Rescue Muni; opposes appeal
Dan Krause, Rescue Muni; opposes appeal
Michael Kiesling; opposes appeal
Linda Craig, President, League of Women Voters of the Bay Area; opposes appeal
Patrick Moore, Sierra Club; opposes appeal
Joyce Roy; opposes appeal
Ann; opposes appeal
Andy Chow; opposes appeal
Kip Field; opposes appeal
Anthony Bruzzone, AC Transit; opposes appeal
Maurice Palumbo, Golden Gate Transit; opposes appeal
Richard Mlynarik; opposes appeal
Michael Dautermann; opposes appeal
Alice Barkley, Attorney for Project Sponsor; opposes appeal
Kenneth; opposes appeal
Emilio Cruz, Vice Chair, San Francisco Planning and Urban Research Association (SPUR) Board of Directors; opposes appeal

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

040629 **[Affirming certification of the final environmental impact report for the Transbay Terminal]**

Motion affirming the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Amended on page 4, line 10, by replacing "June 8" with "June 15."

Supervisor Daly, seconded by Supervisor Dufty, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Motion No. M04-67

Supervisor Hall, seconded by Supervisor McGoldrick, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040630 **[Reversing certification of the final environmental impact report for the Transbay Terminal]**

Motion reversing the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040631 **[Preparation of findings for the final environmental impact report for the Transbay Terminal]**

Motion directing the Clerk of the Board to prepare findings concerning the Board of Supervisors' action on the Planning Commission certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

COMMITTEE REPORTS

040828 **[Reducing the size of the Budget Committee to three members year-round]**
Supervisor Gonzalez

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to reduce the size of the Budget Committee to three members year-round.

Motion No. M04-68
APPROVED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

No Speakers.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040838 **[Commending Instituto Laboral de la Raza]**
Supervisors Ammiano, Daly

Resolution commending Instituto Laboral de la Raza on the occasion of their Annual Labor Awards Dinner, and, because of their compassionate work for the protection of all workers, but especially the rights of immigrant workers and because of their commitment to building a strong and united San Francisco, declare Friday, June 11, 2004, as Workers Rights Day.

Supervisor Daly requested to be added as a co-sponsor.
Resolution No. 370-04
ADOPTED

040839 **[Accept-Expend State Grant - MTA, DPT]**
Supervisors Ammiano, Dufty

Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $100,359 from the California Department of Transportation for an Environmental Justice Planning grant to produce a comprehensive community-based pedestrian and traffic safety plan for Valencia Street.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 371-04
ADOPTED

040840 **[Commending Laura Ware]**
Supervisor Daly

Resolution commending Laura Ware for 14 years of service at Community Housing Partnership and declaring June 30, 2004 Laura Ware Day.

Resolution No. 372-04
ADOPTED

040841 **[Urging United States Postal Service to recognize Single Room Occupancy as permanent housing]**
Supervisors Daly, Dufty

Resolution urging the United States Postal Service to recognize Single Room Occupancy as permanent low-cost housing for many San Franciscans, and to afford residents the right to receive their mail with the same security and privacy as tenants of traditional apartments.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 373-04
ADOPTED

040842 **[Honoring Andrew Goodman, Michael Schwerner, and James Chaney]**
Supervisors Dufty, Daly

Resolution honoring civil rights workers Andrew Goodman, Michael Schwerner, and James Chaney upon the fortieth anniversary of their death.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 374-04
ADOPTED

040843 **[Bike Plan Update and the Transportation Authority]**
Supervisors Gonzalez, Daly

Resolution urging the Transportation Authority to facilitate the completion and adoption of the San Francisco Bike Plan Update by procuring consulting services necessary to develop required traffic and environmental analysis in a timely fashion and urging the Planning Department to provide to the Board of Supervisors and the Transportation Authority by July 1st, 2004 the specific criteria against which the environmental analysis will be evaluated.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 375-04
ADOPTED

040844 **[Condemning Attacks on North Beach Art Galleries]**
Supervisors Peskin, Daly, Alioto-Pier, Ammiano, Gonzalez

Resolution condemning recent attacks on North Beach art galleries and urging the San Francisco Police Department and District Attorney's Office to cooperate and collaborate in ensuring the free speech rights of San Francisco's arts community.

Resolution No. 376-04
ADOPTED

040845 **[Philippine Heritage Day]**
Supervisors Ma, Daly

Resolution recognizing Philippine Heritage Day in the City and County of San Francisco.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 377-04
ADOPTED

040848 **[Urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products]**
Supervisor Maxwell

Resolution urging the Food and Drug Administration (FDA) to systematically assess the safety of cosmetics and other personal care products.

Resolution No. 378-04
ADOPTED

040849 **[Gift in Place to the Recreation and Park Department]**
Supervisor Maxwell

Resolution accepting and expending a gift in place valued at $250,000 from the Trust For Public Land to the Recreation and Park Department for India Basin Shoreline Park.

Resolution No. 379-04
ADOPTED

040851 **[Commending Craigslist]**
Supervisor McGoldrick

Resolution commending Craigslist for their success serving and building community among the residents of the City and County of San Francisco, and declaring October 10, 2004 as "Craigslist Day" in the City and County of San Francisco.

Resolution No. 380-04
ADOPTED

040852 **[Declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco"]**
Supervisor McGoldrick

Resolution declaring the first day of October of each year as the "Day of Humanitarians in the City and County of San Francisco".

Resolution No. 381-04
ADOPTED

040853 **[Proclaiming June 15, 2004 as Prescription Drug Awareness Day]**
Supervisors Sandoval, Peskin

Resolution proclaiming June 15, 2004 as Prescription Drug Awareness Day in the City and County of San Francisco.

Resolution No. 382-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed From For Adoption Without Committee Reference Agenda

Supervisor McGoldrick requested that this matter be severed so that it could be considered separately.

040850 **[Urging peaceful resolution of grocery workers contract negotiations]**
Supervisor McGoldrick

Resolution urging parties to the upcoming Grocery Store union contract negotiations to bargain in good faith to reach a fair and equitable collective bargaining agreement.

Supervisor McGoldrick requested that this matter be continued.
Continued to June 22, 2004.
CONTINUED.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Peskin, moved ADOPTION o fthe Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Peskin, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040875 **[Health Care National Day of Action]**
Supervisor McGoldrick

Resolution declaring June 19 as Health Care National Day of Action in San Francisco.

Resolution No. 383-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040869 **[Approving proposed Housing Element amendment to the City's General Plan]**
Ordinance approving the proposed Housing Element to the City's General Plan; making environmental findings. (Clerk of the Board)

(6/1/04: Received revised and updated Housing Element of the General Plan of the City and County of San Francisco adopted by the Planning Department on May 13, 2004.)
6/15/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/15/2004. 6/1/04 - Received Housing Element proposal for adoption from Department of Planning. (90 days per Charter Section 4.105)
6/15/04 - Date of Introducation of Ordinance (30 Day Rule)
8/11/04 - Correspondence from City Attorney's Office advising that the 90 day period should commence from June 29, 2004 the date on which the Board of Supervisors upheld the negative declaration for this project, rather than June 1, 2004. The final date for Board of Supervisors' action is September 28, 2004.

040870 **[Rejecting proposed Housing Element amendment to the City's General Plan]**
Ordinance rejecting the proposed Housing Element Amendment to the City's General Plan. (Clerk of the Board)
6/15/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/15/2004.

040871 **[Appropriate funding for San Francisco General and Laguna Honda Hospital operations]**
Mayor

Ordinance appropriating $11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and $1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of $12,307,000 for the Public Health Department for fiscal year 2003-04.
6/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040872 **[Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]**
Mayor

Ordinance appropriating $500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating $552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating $3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing $3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.
6/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040873 **[Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]**
Mayor

Ordinance appropriating $9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include $3,581,080 from the Port of San Francisco's unappropriated fund balance, $4,300,000 in contributions from Catellus Corporation and $2,117,059 from environmental impact mitigation fees.

(Fiscal impact.)
6/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040876 **[Department of Human Services Cash Revolving Fund]**
Mayor

Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.
6/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040765 **[Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]**

Resolution making environmental findings and approving a schedule of fees to be charged by the County Agriculture Commissioner for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a). (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/11/04, RESPONSE RECEIVED. Received notice of statutory exemption CEQA Guidelines Section 15273 Rates, Tolls, Fares and Charges.

6/15/04, SUBSTITUTED. The Mayor submitted a substitute resolution bearing same title.

6/15/04, ASSIGNED to Budget Committee.

040767 **[Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]**

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers. (Mayor)

6/1/04, RECEIVED AND ASSIGNED to Budget Committee.

6/4/04, REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

6/11/04, RESPONSE RECEIVED. Received notice of statutory exemption CEQA Guidelines Section 15273 Rates, Tolls, Fares and Charges.

6/15/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/15/04, ASSIGNED to Budget Committee.

Resolutions

040878 **[Proclamation - Survivor of Homicide Victims Awareness Month in San Francisco]**
Supervisors Maxwell, Daly, Dufty

Resolution proclaiming November 20 to December 20th of each year as Survivor of Homicide Victims awareness Month in San Francisco.

6/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040880 **[Opposing the Repeal of Senate Bill 2]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Maxwell, Dufty, Ma, Sandoval, McGoldrick

Resolution expressing support for expanding health care coverage for uninsured San Franciscans and helping to ensure quality coverage for low and moderate income workers and opposing the repeal of Senate Bill 2 and urging an affirmative vote on the November 2nd, 2004 referendum.

6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040885 **[Commending Nicole Derse]**
Supervisors Gonzalez, Daly

Resolution commending Nicole Derse for her outstanding contribution to the San Francisco Youth Commission and to the City and County of San Francisco.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040886 **[Waiving deadlines pursuant to Section 2.34 of the Administrative Code - Housing Bond Resolution of Public Interest and Necessity]**
Supervisors Gonzalez, Daly

Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code, allowing the Housing Bond Resolution of Public Interest and Necessity (Board File No. 040833) to be adopted less than 141 days before the November 2, 2004 Election.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040888 **[Support for Proposition 215-Compassionate Use Act]**
Supervisors Gonzalez, Ammiano, Daly, Dufty

Resolution reaffirming the City and County of San Francisco's support for growers of medical marijuana within San Francisco's municipal jurisdiction to exercise their right to cultivate and distribute medical marijuana under San Francisco's Proposition P and California's Proposition 215 without arrest and/or harassment by the San Francisco Police Department under legally uncertain charges, or from unreasonable fear of prosecution by the District Attorney of San Francisco, whether acting alone or in conjunction with federal or state agencies.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040889 **[Requesting Real Estate Department to appraise the property at 220 Jones Street]**
Supervisor Gonzalez

Resolution requesting the Real Estate Department to appraise the parcel at 220 Jones Street and return a fair market value to the Board of Supervisors.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040890 **[Issuance and Sale of Revenue Bonds - Broadway Family Apartments Multifamily Residential Rental Housing Development]**
Supervisor Peskin

Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of Revenue Bonds by the City and County of San Francisco in an Aggregate Principal Amount not to exceed $25,000,000 for the Broadway Family Apartments Multifamily Residential Rental Housing Development.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

040597 **[Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]**
Supervisor Gonzalez

Charter amendment (Second Draft) to amend Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and to add Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 60 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

5/11/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/10/2004. 5/21/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office.

6/15/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/15/04, ASSIGNED to Rules Committee. 6/17/04: Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Director Administrative Services; Planning EIR Officer; Clerk of the Board; Department of Aging and Adult Services; Commission on the Environment; Department of the Environment; Clerk of the Board; Budget Analyst's Office; SFUSD.

Motions

040874 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040877 **[Legislative Analyst Request - Proposed Taxes]**
Supervisor Hall

Motion requesting the Legislative Analyst's Office to provide a comprehensive Economic Impact Report of the proposed Transaction and Use Tax Increase and the Business Tax by June 30, 2004:

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code and Business Tax.

Ordinance amending the Business and Tax Regulations Code to enact a new Article 12-A-1, as specified to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); amend Article 12-A (Payroll Expense Tax Ordinance).
6/15/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 22, 2004.

040879 **[Rule amendment clarifying the deadline for introducing legislation]**
Supervisor Gonzalez

Motion amending Rule 2.8 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to clarify that in order for Supervisors and the Mayor to introduce legislation at a Board of Supervisors meeting, the original and four copies of the legislation must be received by the Clerk of the Board by the adjournment of the Board meeting.
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

040881 **[Appointment, Planning Commission]**
Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.)
Transmittal date - June 15, 2004.
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

040882 **[Appointment, Planning Commission]**
Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.)
Transmittal date - June 15, 2004.
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

040883 **[Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission]**
Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission. (Clerk of the Board)
6/15/04, RECEIVED AND ASSIGNED to Rules Committee.

040884 **[Requesting Controller's assistance so that DPH can increase its clinic and program reimbursements]**
Supervisor Dufty

Motion requesting the Controller to work with the Department of Public Health in Fiscal Year 04-05 to increase billings and reimbursements from the Department's clinics and programs in order to increase revenues and thereby reduce the possibility of future program reductions.
6/15/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040712 **[Settlement of Lawsuit - Ray Mizyed and Gary Thompson]**

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for $135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.

040713 **[Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]**

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for $280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

6/3/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040714 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to Accept and Expend $41,002,071 of Federal Formula Section 5307 and Congestion Mitigation for Air Quality Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

6/3/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040715 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $35,351,840 of Federal Formula Section 5309 Fixed Guideway capital assistance for construction of Muni's Metro East Light Rail Facility, excluding administrative overhead costs. (Municipal Transportation Agency)

6/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of installing the largest possible speed limit signs on San Jose Avenue between Geneva Avenue and Tingley Street.
CC: Ms. Sharon Eberhardt
President, Cayuga Improvement Association
314 Foote Avenue
San Francisco, CA 94112

From: Supervisor Ammiano
To: General Manager, Recreation and Parks
Requesting/Inquiring: To submit the following information regarding the Mission Recreation Center to the Board of Supervisors:
1. A list of programs offered and times scheduled for the last two years,
2. An itemization of program attendees: who attends which programs, broken down by gender and age,
3. An estimate of high and low program and building usage, both daily and weekly,
4. A list of outreach strategies,
5. A list of present staffing: Job descriptions, salaries for both full and part-time employees,
6. The hours daily that the Center is open and available to the community.

From: Supervisor Dufty
To: Director, Mayor's Office of Housing
Requesting/Inquiring: Inquiring if the Director can review the recommendations contained in the Office of the Legislative Analyst's report regarding best practices by other jurisdictions in managing Section 8 and Housing Opportunities for the Persons with AIDS programs (HOPWA) waiting lists. This report was requested by the City Services Committee in 203 pursuant to our hearing on impediments to fair access to housing. Director Franklin's review would be appreciated so as to make recommendations on how reforms can be implemented to improve management of these waiting lists. Recommendations shall include legislative or administrative actions by the Mayor, Board of Supervisors, San Francisco Housing Authority and San Francisco Redevelopment Agency necessary to achieve these improvements and reforms.

In Memoriams

Charles W. Dullea (The Entire Board)
Gloria E. Anzaldua (Supervisor Ammiano)
Deanna Rena Carvalho (Supervisor Ammiano)
Ray Charles (Supervisor Hall)
Stanley Toy, Sr. (Supervisor Ma)
Sally Green (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 3:16 a.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 13, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, June 22, 2004 2:00 PM

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Sandoval, Daly, McGoldrick	2nd, 3rd, 4th Thursday 10:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma, Hall	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisor Ma was noted absent.

Supervisor Ma was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Ma Excused From Attendance

Supervisor Sandoval, seconded by Supervisor Peskin, moved to excuse Supervisor Ma from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Dufty, moved to approve Meeting Minutes of May 11, 2004. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

AGENDA CHANGES

CONSENT AGENDA

Recommendation of the City Services Committee

040683 **[State contract funds for substance abuse treatment]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS) to enter retroactively into a Combined Negotiated Net Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2004, through June 30, 2008 in the amount of $57,686,688 and for the term of July 1, 2004 through June 30, 2005 in the amount of $19,228,896 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of SFDPH,CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

Resolution No. 391-04
ADOPTED

Recommendation of the Finance and Audits Committee

040343 **[Taxi Legislation]**
Supervisors Daly, Ma, Gonzalez

Ordinance amending the San Francisco Police Code by: amending Sections 1076 and 1081, to state a test, measured as 800 cumulative hours per year, for satisfying the driving requirement imposed on taxi and ramped taxi permit holders; amending Sections 1121 and 1148.1, to set requirements, including prior driving experience, for taxi and ramped taxi permit applicants; and, adding Sections 1186, 1187, and 1188, to establish administrative penalties and procedures for violations of the full-time driving requirement and for violations of the Taxi Commission's rules and regulations.

Ordinance No. 111-04
FINALLY PASSED

Recommendations of the Land Use Committee

040617 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Mariposa Street, stopping Mariposa Street at Florida Street, making this intersection an All-Way STOP;

Mariposa Street, stopping Mariposa Street at Hampshire Street, making this intersection an All-Way STOP;

22nd Street, stopping 22nd Street at Alabama Street, making this intersection an All-Way STOP;

Hillway Avenue, stopping Hillway Avenue at Parnassus Avenue, controlling the stem to this T-intersection; and

Broderick Street, stopping Broderick Street at Jefferson Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Resolution No. 388-04
ADOPTED

040618 **[Traffic Regulations, Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 9 AM AND 4 PM to 6 PM, EVERYDAY EXCEPT SUNDAYS - ESTABLISH
Columbus Avenue, northbound and southbound, at Filbert Street.

NO LEFT TURN - ESTABLISH
Idora Avenue, northbound, to westbound Woodside Avenue.

TRANSIT AND TAXIS ONLY ON EVENT DAYS AT CANDLESTICK PARK - ESTABLISH
Giant's Drive, south of Ingerson Avenue (Candlestick Park Bus Loop Roadway)
Ingerson Avenue, between Giant's Drive and Hawes Street.

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH
4th and Channel Streets, from northbound 4th Street (Lot B exit) to westbound Channel Street. (Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Resolution No. 389-04
ADOPTED

040619 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
La Salle Avenue, north side, along the bulb-out across from the entrance to Osceola Lane (65 feet);
La Salle Avenue, north side, along the bulb-out at the entrance to Gloria R. Davis School (108 feet);
La Salle Avenue, south side, along the western bulb-out curb return at the closed-off portion of Osceola Lane (31 feet);
La Salle Avenue, south side, along the western and eastern bulb-out curb returns at Whitfield Lane (40 feet and 34 feet, respectively); and
La Salle Avenue, north side, along the bulb-out contiguous to Ingalls Street (64 feet).

TOW-AWAY, NO STOPPING, 7 AM - 5 PM SCHOOL DAYS - RESCIND
TOW-AWAY, NO STOPPING, 7 AM - 6 PM SCHOOL DAYS - ESTABLISH
Washington Street, south side, between Stockton and Powell Streets.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Monterey Boulevard, north side, at Circular Avenue, from the west end of the driveway of 66 Monterey Boulevard to the east end of the driveway of 76 Monterey Boulevard.

ANGLE PARKING - RESCIND
Point Lobos Avenue, from 17 feet west of the eastern edge of 1090 Point Lobos Avenue to 80 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
14th Avenue, both sides, between Anza Street and Geary Boulevard (400 block); and
Cabrillo Street, both sides, between 14th and 15th Avenues (1300 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 26th and Cesar Chavez Streets (a portion of the 1400 block).

RESIDENTIAL PERMIT PARKING AREA "O" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Avenue, west side, between Ulloa and Vicente Streets (2500 block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Willow Street, south side (odd numbers only), between Buchanan and Laguna Streets (600 block); and
Note: Signs will not be posted on this block because of the No Parking restrictions, but residents will be able to purchase permits.
1200 and 1300 blocks of Buchanan Street, east side (even numbers only), between Larch Way and Willow Street.
Note: Signs will not be installed on the 1200 block of Buchanan Street until the parking occupancy of 80% is met, but residents will be able to purchase permits.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Stanyan Street, both sides, between Belgrave Avenue and Rivoli Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hickory Street, south side, between Gough and Octavia Streets; and
Lily Street, both sides, between Gough and Octavia Streets.
Note: "No Parking Anytime" signs will not be removed from the north side of Lily Street, but residents will be able to purchase permits).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
23rd Street, both sides, between Carolina and De Haro Streets.

TWO-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH
Chesley Street, east side, between Harrison Street and southern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Noe Street, east side, from 17th Street to Market Street;
14th Street, south side, between Buena Vista Terrace and Roosevelt Way; and
Treat Avenue, west side, from the southern limit of the 1602 Treat Avenue curb-cut to the southern terminus of Treat Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Treat Avenue, between the driveways of 1609 and 1615 Treat Avenue (25-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
164 Lucky Street, west side, from 171 feet to 198 feet north of 26th Street (27-foot zone).

NO PARKING ANYTIME - RESCIND
167 Lucky Street, east side, between the north and south property lines.

NO PARKING, 6 PM TO 8 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND
Harrison Street, west side, from 15th Street to 180 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Baker Street, east side, between the driveways of 420 and 430 Baker Street (6-foot zone).
620-624 - 6th Avenue, east side, from 129 feet to 134 feet south of Balboa Street (One space between driveways in front of 624 - 6th Avenue only. The remainder of the curb to be painted red.)

ANGLE (60-DEGREE ANGLE) PARKING - ESTABLISH
Randolph Street, north side, from 72 feet west of Arch Street to 115 feet west of Arch Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
UNMETERED MOTORCYCLE PARKING - ESTABLISH
Kaplan Lane, east side, from Clementina Street to the northern terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Opposite Frontage of 1351-1355 De Haro Street (within area currently marked unofficially for No Parking).

NO PARKING ANYTIME - ESTABLISH
Panama Street, both sides, west of Niantic Avenue to the terminus.

NO PARKING ANYTIME 9 AM to 2 PM, EXCEPT SUNDAYS - RESCIND
NO PARKING ANYTIME, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Phelan Avenue, west side, between Flood and Staples Avenues.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Montecito Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Hazelwood Avenue, east side, from Staples Avenue to Judson Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH
Greenwood Avenue, south side, from Plymouth Avenue to Hazelwood Avenue.

TWO-HOUR PARKING, 7 AM TO 6 PM, EVERYDAY - RESCIND
TWO-HOUR PARKING, 7 AM TO 6 PM, SCHOOL DAYS - ESTABLISH
Colon Avenue, both sides, from Greenwood Avenue to Terminus.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SUNDAYS - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Valdez Avenue, east side, from Monterey Boulevard to Greenwood Avenue.

TWO-HOUR PARKING, 8 AM TO 4 PM, EXCEPT SATURDAYS AND SUNDAYS - RESCIND
PARKING HOURS, 8 AM TO 4 PM, SUNDAYS AND HOLIDAYS EXCEPTED - RESCIND
TWO-HOUR PARKING, 8 AM TO 4 PM, SCHOOL DAYS - ESTABLISH

Hazelwood Avenue, east side, from Monterey Boulevard to Staples Avenue. (Parking and Traffic Department)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.)

Resolution No. 390-04
ADOPTED

040906 **[Parking Regulations, Various Locations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, MONDAY THRU SUNDAY) - ESTABLISH
1126-1130 Harrison Street, north side, between 7th and 8th Streets (Signs will not be posted on this street, but residents will be able to purchase permits).
1161-1161A Harrision Street and 1163 - 1165 Harrison Street, south side, between 7th and 8th Streets (Sign will not be posted on this street, but residents will be able to purchase permits)

(5/5/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2804.) (Parking and Traffic Department)

Resolution No. 401-04
ADOPTED

Recommendations of the Rules Committee

040632 **[Settlement of Lawsuit - Michael Stamper]**

Ordinance authorizing settlement of the lawsuit filed by Michael Stamper against the City and County of San Francisco for $157,500.00; the lawsuit was filed on October 31, 2003 in San Francisco Superior Court, Case No. 425-974, entitled Michael Lavon Stamper v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 113-04
FINALLY PASSED

040634 **[Settlement of Lawsuit]**

Ordinance ratifying the April 15, 2002 settlement of the lawsuit filed by City and County of San Francisco against Glometro Inc. and Nancy Ho Belli; the April 15, 2002 settlement agreement set forth various terms and required defendants to pay the amount of $140,000; the lawsuit was filed on April 5, 2001 in San Francisco Superior Court, Case No. 320-263; entitled City and County of San Francisco et al. v. Glometro Inc., Nancy Ho Belli, et al. (City Attorney)

Ordinance No. 114-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040854 **[Adopting findings related to the conditional use appeal on property located at 833-881 Jamestown Avenue]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 1999.0233C, (which allowed, a Planned Unit Development with up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991). (Clerk of the Board)

Motion No. M04-69
APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

Recommendation of the Rules Committee

Supervisor Hall Excused from Voting

Supervisor Ammiano, seconded by Supervisor Dufty, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Hall, Ma

040539 **[Requirements for Department of Building Inspection Permit Tracking System]**
Supervisors Dufty, Ammiano, Gonzalez, Peskin

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 78 to direct the Department of Building Inspection to improve its permit tracking system to allow for open and public review of the status, routing and location of pending permits.

Supervisor Peskin requested to be added as a co-sponsor.

Ordinance No. 112-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Hall, Ma

From the Rules Committee "Without Recommendation"

Supervisor Hall Excused from Voting

Supervisor Ammiano, seconded by Supervisor Dufty, moved to excuse Supervisor Hall from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Hall, Ma

040907 **[Permit Application Process]**
Supervisors Daly, Gonzalez

Ordinance amending Article III of the San Francisco Campaign and Governmental Conduct Code by adding Chapter Four, Section 3.400 to require the equal treatment of permit applicants and the adoption of a permit processing code of conduct.

Ordinance No. 115-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Hall, Ma

NEW BUSINESS

Recommendations of the Budget Committee

040723 **[Interim Government Funding, Fiscal Year 2004-2005]**

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)
Supervisor Daly dissented in Committee.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Ammiano, Daly
Excused: 1 - Ma

040724 **[Interim Public Employment, Fiscal Year 2004-2005]**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040727 **[Redevelopment Agency Budget, Fiscal Year 2004-2005]**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005. (Mayor)

(Fiscal impact.)

Resolution No. 392-04

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040786 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040787 **[MOU - Building Inspectors' Association (6334 Chief Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040788 **[MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040789 **[MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040790 **[MOU - Sheet Metal Workers International Union, Local 104]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040792 **[MOU - International Federation of Professional and Technical Engineers, Local 21]**
Mayor

Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040793 **[MOU - Northern California Carpenters Regional Council, Local 22]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040795 **[MOU - Operating Engineers, Local 3]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040796 **[MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040797 **[MOU - Teamsters, Local 350]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040798 **[MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040799 **[MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040800 **[MOU - Painters Union Local District Council #8, Local 4]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040801 **[MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040802 **[MOU - Cement Masons, Local 580]**
Mayor

Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040803 **[MOU - Plasterers and Shophands, Local 66]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040804 **[MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040805 **[MOU - Teamsters, Local 853]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040806 **[MOU - Teamsters Local 856 (Multi-Unit)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040807 **[MOU - Municipal Attorneys Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040808 **[MOU - Municipal Executives Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040809 **[MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040811 **[MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040812 **[MOU - Union of American Physicians and Dentists (Unit 8-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040813 **[MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040814 **[MOU - Transport Workers' Union, AFL-CIO Local 200]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040815 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040816 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040817 **[MOU - San Francisco District Attorney Investigator's Association]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040818 **[MOU - San Francisco Police Officers' Association (SFPOA)]**
Mayor

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) incorporating a new temporary modified duty policy; (b) providing guidelines for the required use of uniform allowances effective 7/1/04; (c) providing criteria for the selection of senior night-duty officers at each district station; (d) correcting a clerical error regarding the effective date of scheduled wage increases.

Supervisor Daly dissented in Committee.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040794 **[MOU - Laborers International Union, Local 261]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040791 **[MOU - International Alliance of the Theatrical Stage Employees, Local 16]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040810 **[MOU - Service Employees International Union, Locals 250, 535 and 790]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040571 **[Contracting Out Janitorial Services, Department of Parking and Traffic, FY 04-05]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed by private contractor for lower cost than similar services performed by City and County employees for Fiscal Year 2004-2005. (Parking and Traffic Department)

Resolution No. 387-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Land Use Committee

040620 **[Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]**

Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only. (Parking and Traffic Department)

(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040621 **[Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]**

Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic. (Parking and Traffic Department)

(5/4/04: categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2806.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040686 **[Transit Advertising Contract with Viacom Outdoor Inc.]**
Mayor

Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of $16,425,000 during the five-year term of the contract.

Continued to June 29, 2004

Supervisor Hall, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Ma

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

Supervisor Alioto-Pier introduced, welcomed and presented a commendation to Dr. Elizabeth Blackburn, University of California, San Francisco for her outstanding work in stem cell research.

Supervisor Gonzalez introduced, welcomed and presented a commendation to Amanda Kahn for completing her John Gardner Fellowship service and a shadowing program of the Clerk of the Board of Supervisors for the past year.

Gloria L. Young, Clerk of the Board, also acknowledged Amanda Kahn for her services to the Clerk of the Board's Office.

COMMITTEE REPORTS

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

040833 **[Housing Bonds]**
Supervisors Gonzalez, Daly, Ammiano, McGoldrick, Sandoval, Peskin, Dufty

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

(6/18/04, Supervisor Peskin dissenting in committee)

Supervisor Ammiano requested to be added as a co-sponsor.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ma

040363 **[To appropriate General Fund revenue for City Planning Department]**
Mayor

Ordinance appropriating $1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.

(Fiscal impact; Department requests this item be scheduled for considertion with File No. 040304)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Ma

040835 **[Reappropriate projected surplus from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year]**
Supervisors Daly, Gonzalez

Ordinance appropriating $1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.

(Fiscal impact.)

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Ma

040819 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Ma

040820 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Ma

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; Iraq war issues
Richard Robertson; general issues
Vernon Jenkins; general issues
Robert Pender; Park Merced Apartment issues
Edmond; medical marijuana issues
Female speaker; Mayoral issues
Male speaker; general issues

Recommendation of the Rules Committee

Supervisor Dufty was noted present at 4:10 p.m.
Supervisors Alioto-Pier and Hall were noted absent at 4:32 p.m.

040721 **[Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

Continued to July 13, 2004

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Hall
Excused: 1 - Ma

From the Rules Committee with Recommendation "Do Not Pass"

040573 **[Settlement of Lawsuits]**

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

Supervisor Maxwell dissented in Committee.

Continued to July 13, 2004

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Hall
Excused: 1 - Ma

CLOSED SESSION

040711 **[Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation. (City Attorney)

Continued to July 13, 2004

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Alioto-Pier, Hall
Excused: 1 - Ma

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

040877 **[Legislative Analyst Request - Proposed Taxes]**
Supervisor Hall

Motion requesting the Legislative Analyst's Office to provide a comprehensive Economic Impact Report of the proposed Transaction and Use Tax Increase and the Business Tax by June 30, 2004:

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code and Business Tax.

Ordinance amending the Business and Tax Regulations Code to enact a new Article 12-A-1, as specified to impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%); amend Article 12-A (Payroll Expense Tax Ordinance).

Supervisors Alioto-Pier and Hall were noted present at 4:36 p.m.

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ma

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040850 **[Urging peaceful resolution of grocery workers contract negotiations]**
Supervisor McGoldrick

Resolution urging parties to the upcoming Grocery Store union contract negotiations to bargain in good faith to reach a fair and equitable collective bargaining agreement.

Resolution No. 393-04
ADOPTED

040878 **[Proclamation - Survivor of Homicide Victims Awareness Month in San Francisco]**
Supervisors Maxwell, Daly, Dufty

Resolution proclaiming November 20 to December 20th of each year as Survivor of Homicide Victims awareness Month in San Francisco.

Supervisors Daly and Dufty requested to be added as co-sponsors.
Resolution No. 394-04
ADOPTED

040880 **[Opposing the Repeal of Senate Bill 2]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Maxwell, Dufty, Ma, Sandoval, McGoldrick

Resolution expressing support for expanding health care coverage for uninsured San Franciscans and helping to ensure quality coverage for low and moderate income workers and opposing the repeal of Senate Bill 2 and urging an affirmative vote on the November 2nd, 2004 referendum.

Resolution No. 395-04
ADOPTED

040885 **[Commending Nicole Derse]**
Supervisors Gonzalez, Daly

Resolution commending Nicole Derse for her outstanding contribution to the San Francisco Youth Commission and to the City and County of San Francisco.

Supervisor Daly requested to be added as a co-sponsor.
Resolution No. 396-04
ADOPTED

040886 **[Waiving deadlines pursuant to Section 2.34 of the Administrative Code - Housing Bond Resolution of Public Interest and Necessity]**
Supervisors Gonzalez, Daly

Resolution waiving deadlines pursuant to Section 2.34 of the Administrative Code, allowing the Housing Bond Resolution of Public Interest and Necessity (Board File No. 040833) to be adopted less than 141 days before the November 2, 2004 Election.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 397-04
ADOPTED

040888 **[Support for Proposition 215-Compassionate Use Act]**
Supervisors Gonzalez, Ammiano, Daly, Dufty

Resolution reaffirming the City and County of San Francisco's support for growers of medical marijuana within San Francisco's municipal jurisdiction to exercise their right to cultivate and distribute medical marijuana under San Francisco's Proposition P and California's Proposition 215 without arrest and/or harassment by the San Francisco Police Department under legally uncertain charges, or from unreasonable fear of prosecution by the District Attorney of San Francisco, whether acting alone or in conjunction with federal or state agencies.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 398-04
ADOPTED

040890 **[Issuance and Sale of Revenue Bonds - Broadway Family Apartments Multifamily Residential Rental Housing Development]**
Supervisor Peskin

Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of Revenue Bonds by the City and County of San Francisco in an Aggregate Principal Amount not to exceed $25,000,000 for the Broadway Family Apartments Multifamily Residential Rental Housing Development.

Resolution No. 399-04
ADOPTED

040874 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-70
APPROVED

040884 **[Requesting Controller's assistance so that DPH can increase its clinic and program reimbursements]**
Supervisor Dufty

Motion requesting the Controller to work with the Department of Public Health in Fiscal Year 04-05 to increase billings and reimbursements from the Department's clinics and programs in order to increase revenues and thereby reduce the possibility of future program reductions.

Motion No. M04-71
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

Severed From Without Reference to Committee Agenda

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

Supervisor McGoldrick requested that this matter be referred to Committee.

040889 **[Requesting Real Estate Department to appraise the property at 220 Jones Street]**
Supervisor Gonzalez

Resolution requesting the Real Estate Department to appraise the parcel at 220 Jones Street and return a fair market value to the Board of Supervisors.

REFERRED to the Finance and Audits Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

040903 **[Commending Judith Baker]**
Supervisor Daly

Resolution commending Judith Baker for her distinguished work and outstanding leadership as Executive Director of South of Market Child Care, Inc. and her dedication to children and families of San Francisco.

Resolution No. 400-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Ma

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040930 **[Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]**
Mayor

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings.
6/22/04, RECEIVED AND ASSIGNED to Budget Committee.

040755 **[Department of Convention Facilities]**
Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/22/04, ASSIGNED to Rules Committee.

040760 **[Department of the Medical Examiner]**
Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.

6/1/04, RECEIVED AND ASSIGNED to Rules Committee.

6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/22/04, ASSIGNED to Rules Committee.

040910 **[Supportive Housing Bonds Special Election]**
Supervisor Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Eighty-Five Million Dollars ($85,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for qualifying very low income individuals and/or families, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code ; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

(Fiscal impact.)

6/22/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040914 **[Environmental Review of Area Plan]**
Supervisor Daly

Draft Ordinance amending Administrative Code Chapter 31, Sections 31.11 and 31.15, to require that the Planning Commission complete environmental review pursuant to the California Environmental Quality Act (CEQA), on an area plan, as defined, prior to adopting or affirming a negative declaration or certifying an environmental impact report on an individual project located within the boundaries of that area plan.
6/22/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the June 29, 2004 meeting.

040909 **[Neighborhood Historical Resources Preservation Bonds]**
Supervisors Peskin, McGoldrick, Sandoval, Hall

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars ($60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.

(Fiscal impact.)
6/22/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. 7/23/04 - Transmitted three certified copies of the legislation to the Department of Elections. Provided these measures on a diskette and electronically.

Resolutions

040903 **[Commending Judith Baker]**
Supervisor Daly

Resolution commending Judith Baker for her distinguished work and outstanding leadership as Executive Director of South of Market Child Care, Inc. and her dedication to children and families of San Francisco.
6/22/04, ADOPTED.

040912 **[Prohibiting eastbound vehicles on Market Street from making a right turn onto the entrance to the Central Freeway at Octavia Street]**
Supervisors Gonzalez, Maxwell

Resolution enacting traffic regulation on Market Street at entrance to the Central Freeway at Octavia Street.
6/22/04, RECEIVED AND ASSIGNED to Land Use Committee. 07/20/04 - Referred to Parking and Traffic for posting and advertised in the SF Independent for the August 9, 2004 meeting of the Land Use Committee.

040913 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $19,800 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2004, to February 28, 2005.
6/22/04, RECEIVED AND ASSIGNED to City Services Committee.

040917 **[Rejecting the MTA Budget]**
Supervisor Daly

Motion rejecting the MTA budget pursuant to Charter Section 8A.106, authorizing the Controller to continue making interim appropriations and requesting an audit of the MTA to address paratransit fare increases, service reductions, layoffs of service critical employees, and other structural budget problems.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040918 **[Accept - Expend State Grant - MOCJ]**
Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $200,000 from the State Board of Corrections, from funds made available through the Title II Delinquency Prevention and Intervention Program (Title II), for the "Read into Your Future" literacy project.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040919 **[Accessible Public Event Checklist]**
Supervisor Alioto-Pier

Resolution adopting the use of the Accessible Public Event Checklist as developed by the Mayor's Office on Disability for all City sponsored public meetings and events.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040920 **[Accept-Expend State Grant - MTA, DPT]**
Supervisor Alioto-Pier

Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $324,000 from the California Department of Transportation Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various intersection locations throughout the City for Bicycle and Pedestrian Improvements.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040921 **[Accept-Expend State Grant - DPT]**
Supervisor Alioto-Pier

Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $450,000 from the California Department of Transportation for Safe Routes to School grant funding.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040922 **[Accept and Expend Gift - Levi Strauss Foundation]**
Supervisor Dufty

Resolution accepting and expending a gift in the amount of $11,750 from the Levi Strauss Foundation to support programs and gardening activities at 10th Avenue Playground, Lloyd Lake and Prayer Book Cross in Golden Gate Park, Potrero Hill, Mountain Lake, Grattan School Playground, India Shoreline Natural Area, and Herz Playground and Recreation Center.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040923 **[Honoring the Grand Marshals of the 2004 SF San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration]**
Supervisor Gonzalez

Resolution honoring the Grand Marshals of this year's annual San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration and commending their participation in this important event.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040924 **[Removing one Member Seat from the Power Plant Task Force]**
Supervisor Maxwell

Resolution removing the Executive Director of Communities for a Better Environment or his/her designee from the Power Plant Task Force.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040926 **[Urging the retrial of the Gwen Araujo murder and hate crime case]**
Supervisors Ammiano, Dufty

Resolution urging the Alameda County District Attorney to; (1) recharge all defendants in the murder and hate crime of Gwen Araujo, and (2) offer a motion limiting any questioning or evidence concerning a "transpanic" defense, and (3) urge the Alameda County District Attorney to collaborate with the LGBT legal organizations to assist in writing any supporting legal motions for the District Attorney to prosecute this case.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040927 **[Sewer rates and charges]**
Resolution approving the rates and charges set by the Public Utilities Commission for sewer service charges as submitted to the Board of Supervisors on June 16, 2004. (Clerk of the Board)
6/22/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040928 **[Sewer rates and charges]**
Resolution rejecting the rates and charges set by the Public Utilities Commission for sewer service charges as submitted to the Board of Supervisors on June 16, 2004. (Clerk of the Board)
6/22/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

040900 **[Appointment, Planning Commission]**
Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2008. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040882.)
Transmittal date - June 15, 2004.
6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

040902 **[Appointment, Planning Commission]**
Motion rejecting the Board of Supervisors President's appointment of Christina Olague to the Planning Commission, term ending July 1, 2004. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040881.)
Transmittal date - June 15, 2004.
6/22/04, RECEIVED AND ASSIGNED to Rules Committee.

040911 **[Audit of New Wastewater Service Rates]**
Supervisors Hall, McGoldrick

Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the Commission, and scheduled to take effect July 1, 2004.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040925 **[Disapproving the Mayor's executive branch reorganization of personnel functions at Child Support Services]**
Supervisor Sandoval

Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of personnel functions from Child Support Services to the Department of Human Resources.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040929 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/22/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040718 **[Third Street and Oakdale Avenue Affordable Housing Special Use District]**
Ordinance establishing the Third Street and Oakdale Avenue Affordable Housing Special Use District for property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street, by adding Planning Code Section 249.27, and making findings. (Planning Department)

(Companion measure to File 040719.)
6/8/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/22/2004.

040719 **[Zoning Map Amendment in connection with Third Street and Oakdale Avenue Affordable Housing Special Use District]**
Ordinance amending Zoning Map Section 10 of the City and County of San Francisco for the property at 4800 Third Street (Lot 45, Assessor's Block 5322), located at the southwest corner of the block bounded by Oakdale Avenue, Third Street, Palou Avenue, and Newhall Street,; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)
6/8/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/22/2004.

040720 **[Authorizing the Vacation and Transfer to the Redevelopment Agency of a Portion of Stevenson Street between 3rd and 4th Streets]**

Ordinance ordering the summary vacation of an unused and unneeded portion of Stevenson Street between 3rd and 4th Streets; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated portion of Stevenson Street to the San Francisco Redevelopment Agency; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

6/14/04, RECEIVED AND ASSIGNED to Land Use Committee.

040856 **[Department of Elections Conflict of Interest Code]**
Supervisor Gonzalez

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

6/8/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040857 **[Settlement of Claim - Cambridge Integrated Services, Inc.]**

Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang. (City Attorney)

6/14/04, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: To study and report on the proposal to restore parallel parking to the 1200 block of Fitzgerald Street.

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: To conduct traffic studies at the intersection of Thorton and Neptune. Several residents in the area have had their property damaged by speeding cars running into their garages. Residents in the area are interested in working with the Department to make this intersection safe.

From: Supervisor Hall
To: Department of Public Health
Requesting/Inquiring: To report on how they are educating and outreach to expectant young mothers with regard to California Law SB 1368 and including the information that San Francisco Fire Stations have been designated as Safe Haven Sites.

ADJOURNMENT

There being no further business, the Board at the hour of 5:40 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 10, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, June 29, 2004 2:00 PM

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Sandoval, Daly, McGoldrick	2nd, 3rd, 4th Thursday 10:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma, Hall	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisors Ammiano and Daly were noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:24 p.m.
Supervisor Daly was noted present at 2:29 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to approve May 18, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Land Use Committee

040620 **[Traffic Code - Adding Section 32.6.32 restricting parking around the U.S. Court of Appeals building to law enforcement vehicles only]**

Ordinance adding Section 32.6.32 to the San Francisco Traffic Code restricting parking adjacent to the United States Court of Appeals building on part of Stevenson Street to law enforcement vehicles only. (Parking and Traffic Department)

(5/4/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Ordinance No. 119-04
FINALLY PASSED

040621 **[Traffic Code - Amending Section 71b Towing of Vehicles Obstructing the Normal Flow of Traffic]**

Ordinance adding violation of Section 39 of the San Francisco Traffic Code, which prohibits vehicles not authorized by the Chief of Police from standing in any taxicab stand, to the list of violations for which a vehicle may be towed pursuant to Section 71b of the San Francisco Traffic Code, Towing of Vehicles Obstructing the Normal Flow of Traffic. (Parking and Traffic Department)

(5/4/04: categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2806.)

Ordinance No. 120-04
FINALLY PASSED

040637 **[Grant of Regional Funds]**

Resolution authorizing the Municipal Transportation Agency to accept and expend $534,401 of Carl Moyer grant funds for the Municipal Railway Bus Catalyst Device Procurement, excluding administrative overhead costs. (Municipal Transportation Agency)

Resolution No. 403-04
ADOPTED

040715 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $35,351,840 of Federal Formula Section 5309 Fixed Guideway capital assistance for construction of Muni's Metro East Light Rail Facility, excluding administrative overhead costs. (Municipal Transportation Agency)

Resolution No. 404-04
ADOPTED

Recommendations of the Rules Committee

040664 **[Settlement of Lawsuit - Joyce Vanman]**

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for $175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

040665 **[Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for $29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)

PASSED, ON FIRST READING

040697 **[Settlement of Lawsuit - Caleb Mather]**

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for $45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040772 **[Appointment - Commission on the Aging Advisory Council]**
Resolution appointing Marylouise Lovett, for the unexpired portion of a two-term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Resolution No. 405-04
ADOPTED

040866 **[Appointment - Bay Area Library and Information System Advisory Board]**
Resolution appointing Nora Dowley, term ending June 30, 2006, to the Bay Area Library and Information System Advisory Board.

Resolution No. 407-04
ADOPTED

040867 **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Helen Lee, for the unexpired portion of a three-year term ending December 31, 2005, to the Child Care Planning and Advisory Council.

Resolution No. 408-04
ADOPTED

Recommendations of the Budget Committee

040724 **[Interim Public Employment, Fiscal Year 2004-2005]**
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

(Fiscal impact.)

Ordinance No. 117-04
FINALLY PASSED

040786 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 121-04
FINALLY PASSED

040787 **[MOU - Building Inspectors' Association (6334 Chief Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6334 Chief Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 122-04
FINALLY PASSED

040788 **[MOU - Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (6331 Building Inspector, 6333 Senior Building Inspector) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 123-04
FINALLY PASSED

040789 **[MOU - Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3 and Hod Carriers, Local 36 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 124-04
FINALLY PASSED

040790 **[MOU - Sheet Metal Workers International Union, Local 104]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 125-04
FINALLY PASSED

040791 **[MOU - International Alliance of the Theatrical Stage Employees, Local 16]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Alliance of the Theatrical Stage Employees, Local 16 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 126-04
FINALLY PASSED

040792 **[MOU - International Federation of Professional and Technical Engineers, Local 21]**
Mayor

Ordinance adopting and implementing Amendment #3, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 127-04
FINALLY PASSED

040793 **[MOU - Northern California Carpenters Regional Council, Local 22]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Northern California Carpenters Regional Council, Local 22 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 128-04
FINALLY PASSED

040794 **[MOU - Laborers International Union, Local 261]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 129-04
FINALLY PASSED

040795 **[MOU - Operating Engineers, Local 3]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 130-04
FINALLY PASSED

040796 **[MOU - Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union #34 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 131-04
FINALLY PASSED

040797 **[MOU - Teamsters, Local 350]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 132-04
FINALLY PASSED

040798 **[MOU - International Association of Ironworkers, Riggers and Machinery Movers, Local 377]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Association of Ironworkers, Riggers and Machinery Movers, Local 377 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 133-04
FINALLY PASSED

040799 **[MOU - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 134-04
FINALLY PASSED

040800 **[MOU - Painters Union Local District Council #8, Local 4]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Painters Union Local District Council #8, Local 4 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 135-04
FINALLY PASSED

040801 **[MOU - United Union of Roofers, Waterproofers and Allied Workers, Local 40]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 136-04
FINALLY PASSED

040802 **[MOU - Cement Masons, Local 580]**
Mayor

Ordinance adopting and implementing Amendment #2, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 137-04
FINALLY PASSED

040803 **[MOU - Plasterers and Shophands, Local 66]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 138-04
FINALLY PASSED

040804 **[MOU - Glaziers, Architectural Metal and Glass Workers Local Union No. 718]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Glaziers, Architectural Metal and Glass Workers Local Union No. 718 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 139-04
FINALLY PASSED

040805 **[MOU - Teamsters, Local 853]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 853 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 140-04
FINALLY PASSED

040806 **[MOU - Teamsters Local 856 (Multi-Unit)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856 (Multi-Unit) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 141-04
FINALLY PASSED

040807 **[MOU - Municipal Attorneys Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association by implementing specified terms and conditions of employment for fiscal years 2004-2005 in accordance with the MOU's reopener provision.

Ordinance No. 142-04
FINALLY PASSED

040808 **[MOU - Municipal Executives Association]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 143-04
FINALLY PASSED

040809 **[MOU - Operating Engineers, Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers. Local 3 of the Int. Union of Operating Engineers, AFL-CIO, Supervising Probation Officers by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 144-04
FINALLY PASSED

040810 **[MOU - Service Employees International Union, Locals 250, 535 and 790]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790 by extending the term of the parties' agreement through June 30. 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 145-04
FINALLY PASSED

040811 **[MOU - Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and Transit Workers Union, AFL-CIO, Local 250-A, Automotive Service Workers (7410) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

Ordinance No. 146-04
FINALLY PASSED

040812 **[MOU - Union of American Physicians and Dentists (Unit 8-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 147-04
FINALLY PASSED

040813 **[MOU - Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC)]**
Mayor

Ordinance adopting and implementing Amendment #1, the mediated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union Local 250-A, Multi-Unit (Units 8-AA, 8-BB, 8-FF, 11-Z, 11-CC) by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal year 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 148-04
FINALLY PASSED

040814 **[MOU - Transport Workers' Union, AFL-CIO Local 200]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers' Union, AFL-CIO Local 200 by implementing specified terms and conditions of employment for fiscal year 2004-2005 in accordance with the MOU's reopener provision.

Ordinance No. 149-04
FINALLY PASSED

040815 **[MOU - International Union of Operating Engineers, Stationary Engineers, Local 39]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 150-04
FINALLY PASSED

040816 **[MOU - International Brotherhood of Electrical Workers, Local 6]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6 by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 151-04
FINALLY PASSED

040817 **[MOU - San Francisco District Attorney Investigator's Association]**
Mayor

Ordinance adopting and implementing an arbitration award establishing an amendment to the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigator's Association by extending the term of the parties' agreement through June 30, 2006 and by implementing specified terms and conditions of employment for fiscal years 2004-2005 and 2005-2006 in accordance with the MOU's reopener provision.

(Fiscal impact.)

Ordinance No. 152-04
FINALLY PASSED

040818 **[MOU - San Francisco Police Officers' Association (SFPOA)]**
Mayor

Ordinance adopting and implementing amendments to the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by (a) incorporating a new temporary modified duty policy; (b) providing guidelines for the required use of uniform allowances effective 7/1/04; (c) providing criteria for the selection of senior night-duty officers at each district station; (d) correcting a clerical error regarding the effective date of scheduled wage increases.

Supervisor Daly dissented in Committee.

Ordinance No. 153-04
FINALLY PASSED

Recommendations of the Finance and Audits Committee

040819 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

(Fiscal impact.)

Ordinance No. 154-04
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040820 **[Fee Adjustments - Planning Department services]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 31.22 and 31.23 to adjust fees for Planning Department services; and making environmental findings.

Ordinance No. 155-04
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040835 **[Reappropriate projected surplus from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year]**
Supervisors Daly, Gonzalez

Ordinance appropriating $1,200,000 of projected surplus funds from Hetch Hetchy's purchase of power appropriation towards the Solar Energy Project for current fiscal year.

(Fiscal impact.)

Ordinance No. 156-04
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

Severed from Consent Agenda

Supervisor Gonzalez requested that this matter be severed so that it might be considered separately.

040363 **[To appropriate General Fund revenue for City Planning Department]**
Mayor

Ordinance appropriating $1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.

(Fiscal impact; Department requests this item be scheduled for considertion with File No. 040304)

Ordinance No. 118-04
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

040723 **[Interim Government Funding, Fiscal Year 2004-2005]**
Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.)
Supervisor Daly dissented in Committee.

Ordinance No. 116-04
FINALLY PASSED by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Daly

Recommendation of the Finance and Audits Committee

040833 **[Housing Bonds]**
Supervisors Gonzalez, Daly, Ammiano, McGoldrick, Sandoval, Peskin, Dufty

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $210,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

(6/18/04, Supervisor Peskin dissenting in committee)

Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by replacing "$210,000,000" with "$200,000,000." New Title.

Supervisors McGoldrick, Sandoval, Peskin and Dufty requested to be added as co-sponsors.

AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of San Francisco of housing for qualifying individuals and families and to provide financial assistance to qualifying individuals and families to purchase housing in the City, and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $200,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2a.

Resolution No. 406-04

ADOPTED AS AMENDED by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

Recommendation of the Land Use Committee

Supervisor Ammiano noted present at 2:24 p.m.
Supervisor Daly noted present at 2:29 p.m.

040686 **[Transit Advertising Contract with Viacom Outdoor Inc.]**
Mayor

Resolution authorizing the Municipal Transportation Agency to execute a transit advertising contract with Viacom Outdoor Inc., for a term commencing July 1, 2004 and ending June 30, 2009, which offers a minimum total aggregate of revenue and services of $16,425,000 during the five-year term of the contract.

Supervisor McGoldrick, seconded by Supervisor Daly, moved to refer to the Finance & Audits Committee in order for the Budget Analyst to prepare a report on this matter.

Motion failed by the following vote:
Ayes: 5 - Ammiano, Daly, Gonzalez, Hall, McGoldrick
Noes: 6 - Alioto-Pier, Dufty, Ma, Maxwell, Peskin, Sandoval

Resolution No. 384-04

ADOPTED by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

NEW BUSINESS

Recommendations of the Finance and Audits Committee

040749 **[Mayor's Fund for the Homeless]**
Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040756 **[Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]**
Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040762 **[Salary and Wage Deductions]**
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040391 **[Modification of Easement Deed]**

Resolution approving a modification to an existing Easement Deed between Pacific Gas & Electric Company, a California public utility, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC") for the realignment of an existing gas line on City land under the jurisdiction of the SFPUC located in Sunol, California. (Real Estate Department)

Resolution No. 402-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Budget Committee

040750 **[Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]**

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Gonzalez, Hall

Recommendation of the Rules Committee

040648 **[Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each] Supervisor Daly**

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

Continued to July 13, 2004

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Daly, seconded by Supervisor McGoldrick, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Daly introduced, welcomed and presented Certificates of Honor to members of the Homeless Senior Task force.

SPECIAL ORDER 4:00 P.M.

040862 **[Public Hearing - Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No.16782 dated May 6, 2004, approving a conditional use authorization, Case No. 2003.1047C, to install a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; Lot 055 in Assessor's Block 6635. (Appellant: Debra Green, representing Noe/Bernal Neighborhood Alliance.)

(Filed 6/7/04; companion measure to Files 040863, 040864, 040865; District 9.)

Debra Green, Appellant
Muriel Munoz; support of appellant
Steve Weber; support of appellant
Rhonda Price; support of appellant
Larry Holmes; support of appellant
Ron Morgan, Bernal Neighborhood Association; support of appellant
Renee Rosen; support of appellant
Jeff Hoffman; support of appellant
Elizabeth McMartin; support of appellant
Male Speaker; support of appellant
Jason Hiroygen; support of appellant

Jean Paul Samaha, Planning Department representative reviewed with the Board the recommendation of the Planning Commission.

Kevin Cleary, Cingular Wireless; project sponsor
Don Lewis; support of project sponsor
Helly Pepper; support of project sponsor
Female Speaker; support of project sponsor
Ryan Young; support of project sponsor
Jack Mickel; support of project sponsor
Female speaker, representative Electrical Workers Union; support of project sponsor
N. Kim; support of project sponsor
Kevin Tamendian, Electrical Workers Union; support of project sponsor
Jim Salinas; support of project sponsor
Andrew Fife; support of project sponsor

Rebuttal Period - Appellants

President inquired if there was anyone else who wished to address the Board.
President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

Supervisor Sandoval noted absent at 4:45 p.m.

040863 **[Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street). (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040864 **[Appeal, Conditional Use - 3372-3378 Mission Street (aka 3350 Mission Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16782, approving Conditional Use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street). (Clerk of the Board)

Motion No. M04-73

Supervisor Ammiano, seconded by Supervisor Ma, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040865 **[Findings - 3372-3378 Mission Street (aka 3350 Mission Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2003.1047C on property located at 3372-3378 Mission Street (aka 3350 Mission Street), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M04-74

Supervisor Ammiano, seconded by Supervisor Ma, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Recess

The Board recessed at the hour of 5:18 p.m.

Reconvening of the Board

The Board at the hour of 5:34 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Daly, Gonzalez, Hall, Ma, McGoldrick - 7

Quorum present.

Supervisor Peskin was noted present at 5:36 p.m.
Supervisors Dufty and Maxwell were noted present at 5:46 p.m.

SPECIAL ORDER 5:00 P.M.

040704 **[Public Hearing - Appeal, Preliminary Negative Declaration for the Proposed Revision of the Housing Element of the S.F. General Plan]**

Hearing of persons interested in or objecting to the decision of the Planning Department by its Motion No. 16786 dated May 13, 2004 (Case No. 2000.465E), approving the preliminary negative declaration for the proposed revision of the Housing Element of the San Francisco General Plan. (Appellants: John Bardis, on behalf of the Inner Sunset Action Committee; Paige J. Swartley of Brandt-Hawley Law Group, representing fifteen (15) appellants.)

Filed 5/27/04 by John Bardis on behalf of the Inner Sunset Action Committee.
Filed 6/3/04 by Paige J. Swartley of Brandt-Hawley Law Group, representing fifteen (15) appellants.
(companion measure to Files, 040705, 040706, 040707.)

Susan Brandt-Hawley, Attorney for Appellants
Kathy Devincenzi, Laurel Heights Improvement Club; support of appellant
Barbara Austin; support of appellant
Dan Liberthson, Miraloma Park Improvement Club; support of appellant
Jeff Hagen, Francisco Heights; support of appellant
Petree Knighton; St. Francis Wood, support of appellant
Joel Ventresca, SPEAC; support of appellant
David Bisho; support of appellant
John Bardis, Inner Sunset Action; support of appellant
Mary Burns, Greater West Portal Neighborhood Association; support of appellant
Bob Bardell; support of appellant
Penny Clarke; support of appellant
Rich Worner; support of appellant
Cynthia Coleman; support of appellant
Jean MacDermid; support of appellant
Francisco J. Centurion; support of appellant
Alice Piccus; support of appellant
Judy Junghans, President of Russian Hill Neighbors; support of appellant
Ben Sheden, Glen Park Association; support of appellant
Robert Wordell, Golden Gate Valley Neighborhood Association; support of appellant
Ron Pierce; support of appellant
Chris Manitisas; support of appellant
Patricia Vaughey; support of appellant
Adina Rosmarin, Lakeshore Area; support of appellant
Courtney Clarkson; support of appellant
Male Speaker; support of appellant
Male Speaker; support of appellant
Seymor Whitelaw; support of appellant
Marie Carr; support of appellant
Jim Gault; support of appellant
Joan Giradot, Marina; support of appellant
Bud Wilson, Greater West Portal Neighborhood; support of appellant

Larry Badiner, Acting Director, Planning Department, and Paul Maltzer, Department of Planning reviewed with the Board the Planning Department's recommendation.

Tom Radulovich; opposed to the appeal
Kate White, Housing Action Coalition; opposed to the appeal
Christopher Petersen; opposed to the appeal

Rebuttal Period:
Susan Brandt-Hawley, Attorney for appellants

President inquired if there anyone else who wished to address the Board.
President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

040705 **[Affirm adoption of the negative declaration for 2003 update of Housing Element]**

Motion affirming Planning Commission adoption of the final negative declaration for 2003 update of Housing Element. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor Alioto-Pier, moved to table this item.

Motion failed by the following vote:
Ayes: 4 - Alioto-Pier, Hall, Ma, Peskin
Noes: 6 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick
Absent: 1 - Sandoval

Motion No. M04-72

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick
Noes: 4 - Alioto-Pier, Hall, Ma, Peskin
Absent: 1 - Sandoval

040706 **[Reversing adoption of the negative declaration for the 2003 update of Housing Element]**

Motion reversing the Planning Commission adoption of the final negative declaration for the 2003 update of Housing Element. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor Alioto-Pier, moved to approve this item.

Motion failed by the following vote:
Ayes: 4 - Alioto-Pier, Hall, Ma, Peskin
Noes: 6 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick
Absent: 1 - Sandoval

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick
Noes: 4 - Alioto-Pier, Hall, Ma, Peskin
Absent: 1 - Sandoval

040707 **[Preparation of findings to reverse adoption of the negative declaration for the 2003 update of Housing Element]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the 2003 update of Housing Element.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

COMMITTEE REPORTS

Recommendations of the Rules Committee

040709 **[Dismissal of Lawsuit - Scott Co. of California, et al.]**

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Gonzalez

040881 **[Appointment, Planning Commission]**
Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2004.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040902.)
Transmittal date - June 15, 2004.

Motion No. M04-75

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040882 **[Appointment, Planning Commission]**
Supervisor Gonzalez

Motion approving the Board of Supervisors President Gonzalez's nomination of Christina Olague to the Planning Commission term ending July 1, 2008.

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 040900.)
Transmittal date - June 15, 2004.

Motion No. M04-76

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the City Services Committee

040823 **[Homeland Security Grants]**
Mayor

Resolution amending Resolution No. 131-03 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

Resolution No. 385-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Finance and Audit Committee

040871 **[Appropriate funding for San Francisco General and Laguna Honda Hospital operations]**
Mayor

Ordinance appropriating $11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and $1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of $12,307,000 for the Public Health Department for fiscal year 2003-04.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040872 **[Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]**
Mayor

Ordinance appropriating $500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating $552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating $3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing $3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Gonzalez

040873 **[Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]**
Mayor

Ordinance appropriating $9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include $3,581,080 from the Port of San Francisco's unappropriated fund balance, $4,300,000 in contributions from Catellus Corporation and $2,117,059 from environmental impact mitigation fees.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abduallah Megaheed; Farenheit 911
Richard Robertson; general issues
Francisco Di Costa; environmental issues
John Dadonna; general issues
Paul Warfield; Library issues
Female Speaker; accountabilty for MTA budget issues
Jonathan Romano; Sutter Health issues
Gillian, Female Speaker; elimination of Russian language position, budget issues
Louis Mendolson; elimination of Russian language position, budget issues
Female Speaker; elimination of Russian language position, budget issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040918 **[Accept - Expend State Grant - MOCJ]**
Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $200,000 from the State Board of Corrections, from funds made available through the Title II Delinquency Prevention and Intervention Program (Title II), for the "Read into Your Future" literacy project.

Resolution No. 409-04
ADOPTED

040919 **[Accessible Public Event Checklist]**
Supervisor Alioto-Pier

Resolution adopting the use of the Accessible Public Event Checklist as developed by the Mayor's Office on Disability for all City sponsored public meetings and events.

Resolution No. 410-04
ADOPTED

040920 **[Accept-Expend State Grant - MTA, DPT]**
Supervisor Alioto-Pier

Resolution authorizing the Municipal Transportation Agency, Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $324,000 from the California Department of Transportation Hazard Elimination Safety grant program to install Pedestrian Countdown Signals at up to 30 various intersection locations throughout the City for Bicycle and Pedestrian Improvements.

Resolution No. 411-04
ADOPTED

040921 **[Accept-Expend State Grant - DPT]**
Supervisor Alioto-Pier

Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $450,000 from the California Department of Transportation for Safe Routes to School grant funding.

Resolution No. 412-04
ADOPTED

040922 **[Accept and Expend Gift - Levi Strauss Foundation]**
Supervisor Dufty

Resolution accepting and expending a gift in the amount of $11,750 from the Levi Strauss Foundation to support programs and gardening activities at 10th Avenue Playground, Lloyd Lake and Prayer Book Cross in Golden Gate Park, Potrero Hill, Mountain Lake, Grattan School Playground, India Shoreline Natural Area, and Herz Playground and Recreation Center.

Resolution No. 413-04
ADOPTED

040923 **[Honoring the Grand Marshals of the 2004 SF San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration]**
Supervisor Gonzalez

Resolution honoring the Grand Marshals of this year's annual San Francisco Lesbian Gay Bisexual Transgender Pride Parade and Celebration and commending their participation in this important event.

Resolution No. 414-04
ADOPTED

040924 **[Removing one Member Seat from the Power Plant Task Force]**
Supervisor Maxwell

Resolution removing the Executive Director of Communities for a Better Environment or his/her designee from the Power Plant Task Force.

Resolution No. 386-04
ADOPTED

040911 **[Audit of New Wastewater Service Rates]**
Supervisors Hall, McGoldrick

Motion directing the Budget Analyst of the Board of Supervisors to prioritize, within its scheduled FY 2004-2005 management audit of the Public Utilities Commission, an analysis of the Wastewater Service Rates recently approved by the Commission, and scheduled to take effect July 1, 2004.

Supervisor McGoldrick requested to be added as a co-sponsor.

Motion No. M04-77
APPROVED

040925 **[Disapproving the Mayor's executive branch reorganization of personnel functions at Child Support Services]**
Supervisor Sandoval

Motion disapproving, under Charter Section 4.132, the Mayor's intended transfer of personnel functions from Child Support Services to the Department of Human Resources.

Motion No. M04-78
APPROVED

040929 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-79
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

Severed From Without Reference to Committee Agenda

Supervisor Gonzalez requested that this matter be severed so that it might be considered separately.

040926 **[Urging the retrial of the Gwen Araujo murder and hate crime case]**
Supervisors Ammiano, Dufty

Resolution urging the Alameda County District Attorney to; (1) recharge all defendants in the murder and hate crime of Gwen Araujo, and (2) offer a motion limiting any questioning or evidence concerning a "transpanic" defense, and (3) urge the Alameda County District Attorney to collaborate with the LGBT legal organizations to assist in writing any supporting legal motions for the District Attorney to prosecute this case.

Supervisor Gonzalez requested that this matter be referred to Committee.

Supervisor Ammiano, seconded by Supervisor Peskin, moved to rescind the previous action.

Motion was passed without objection.

Supervisor Ammiano, seconded by Supervisor Peskin, moved to amend line 21,by replacing paragraph with "FURTHER RESOLVED, that the City and Count of San Francisco does hereby urge the Alameda County District Attorney to aggressively resist any defense efforts to improperly exploit Gwen Araujo's transgender status and to bring any legal motions consistent with California law to counter the defendants' admitted transphobia; and be it".

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Resolution No. 415-04

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

040917 **[Rejecting the MTA Budget]**
Supervisor Daly

Motion rejecting the MTA budget pursuant to Charter Section 8A.106, authorizing the Controller to continue making interim appropriations and requesting an audit of the MTA to address paratransit fare increases, service reductions, layoffs of service critical employees, and other structural budget problems.

NOT APPROVED by the following vote:

Ayes: 4 - Daly, Gonzalez, Maxwell, Sandoval
Noes: 7 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, McGoldrick, Peskin

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040322 **[Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver]**
Supervisor Peskin

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

(Fiscal impact.)
3/16/04, RECEIVED AND ASSIGNED to Budget Committee.

6/29/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.
7/8/04: Mayor's Office notified of July 15, 2004 Budget Committee meeting.
6/29/04, ASSIGNED to Budget Committee.

040755 **[Department of Convention Facilities]**
Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.
6/1/04, RECEIVED AND ASSIGNED to Rules Committee.
6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/22/04, ASSIGNED to Rules Committee.
6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/29/04, ASSIGNED to Rules Committee.

040760 **[Department of the Medical Examiner]**
Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.
6/1/04, RECEIVED AND ASSIGNED to Rules Committee.
6/22/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/22/04, ASSIGNED to Rules Committee.
6/29/04, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.
6/29/04, ASSIGNED to Rules Committee.

040592 **[Payroll Expense Tax Exclusion for Biotechnology Business]**
Supervisors Alioto-Pier, Ma, Hall

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.
5/11/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
5/18/04, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing same title.
5/18/04, ASSIGNED to Finance and Audits Committee.
5/27/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and comment.
6/29/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure from the Finance and Audits Committee for Board consideration July 13, 2004.
7/6/04: Notice of Matter Called out of Committee mailed and faxed.

040944 **[Payment of Reward]**
Mayor

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040946 **[First source hiring agreements]**
Supervisor Maxwell

Ordinance amending San Francisco Administrative Code Chapter 83.11 by requiring a developer to obtain approval of a first source hiring agreement prior to Planning Commission approval of a development project authorization.
6/29/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/29/2004.

040954 **[Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]**
Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars ($200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive and affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. 7/23/04 - Transmitted three certified copies of the legislation to the Department of Elections. Provided these measures on a diskette and electronically.

040955 **[Fee Adjustments - Planning Department Services]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

040941 **[Contracting Out Airport Information Booth Services]**
Mayor

Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than in the work were performed by City and County employees.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040942 **[Contracting Out Shuttle Bus Service]**
Mayor

Resolution approving the Controller's certification that shuttle bus service for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040943 **[Contract with ValueOptions, Inc. to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]**
Mayor

Resolution approving a contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2004 through June 30, 2005.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040945 **[Authorizing Trial Courts to require payment of legal fees by defendants upon finding of ability to pay]**
Supervisors Gonzalez, Hall

Resolution authorizing the San Francisco Trial Courts to require payment of legal fees by a defendant who is provided legal counsel through the Public Defender's Office or private counsel appointed by the court, upon a finding by the court that the defendant has the ability to pay all or part of the cost of legal assistance.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040947 **[Traffic Regulation - Steiner Street between Lombard and Chestnut Streets]**
Supervisor Alioto-Pier

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Steiner Street between Lombard and Chestnut Streets from 1:30 P.M. to 8:15 P.M. on every Tuesday between August 24, 2004 through October 26, 2004.
6/29/04, RECEIVED AND ASSIGNED to Land Use Committee.

040953 **[Amended and Restated Property Exchange Agreement]**
Supervisors Dufty, Hall, Gonzalez

Resolution approving an amended and restated property exchange agreement substituting City property at the corner of Portola Drive and Burnett Avenue for property located at the corner of Gough and Grove Streets; adopting findings that the amended and restated exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

(Fiscal impact.)
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040956 **[Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers]**
Supervisor Ammiano

Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040957 **[Commemorating the Chinatown Night Market Fair Grand Opening]**
Supervisors Ma, Dufty

Resolution commemorating the Chinatown Night Market Fair Grand Opening Celebration.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040958 **[Residential Permit Parking Area "A" on Broadway and Jones Streets]**
Supervisor Peskin

Resolution establishing Residential Permit Parking Area "A" on Broadway and Jones Streets.

RESIDENTIAL PERMIT PARKING AREA "C" - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).
Jones, both sides between Broadway Street and Pacific Avenue.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040959 **[Perpendicular Parking on Broadway at Jones Street]**
Supervisor Peskin

Resolution establishing perpendicular (90-Degree angle) Parking on the 1000 block of Broadway.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040960 **[Requesting DTIS to Evaluate and Make Recommendations on Stolen Vehicles]**
Supervisors Dufty, Alioto-Pier

Resolution requesting the Department of Telecommunications and Information Services (DTIS) to evaluate and make recommendations on the needed steps so that the San Francisco Department of Parking and Traffic and Police Department can share data on stolen vehicles.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040961 **[Consolidation of BART Election - 11/2/04]**
Supervisor Ammiano

Resolution consolidating the Bay Area Rapid Transit District Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 2, 2004 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

040948 **[Civil Grand Jury Report (2003-2004) on merger of Emergency Medical Services and the S.F. Fire Department]**
Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the merger of Emergency Medical Services and the San Francisco Fire Department.
6/29/04, RECEIVED AND ASSIGNED to City Services Committee.

040949 **[Payment in Lieu of Taxes (PILOT) Programs]**
Supervisor Maxwell

Hearing to investigate the use of Payment in Lieu of Taxes (PILOT) programs in San Francisco. PILOT's are used by tax-exempt entities to reimburse local governments for the provision of city services. The hearing will focus upon the current list of entities, for-profit and non-profit, that are exempt from either property or payroll taxes, the State reimbursement process to local municipalities, and the potential to institute a PILOT program in San Francisco.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040950 **[Status of the Neighborhood Beautification Fund]**
Supervisor Peskin

Hearing on the current status of the Neighborhood Beautification Fund.
6/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

040951 **[Appointment, Board of Appeals]**
Supervisor Gonzalez

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - June 29, 2004
6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

040952 **[Appointment, Board of Appeals]**
Motion rejecting the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals, for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - June 29, 2004
6/29/04, RECEIVED AND ASSIGNED to Rules Committee.

040962 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040860 **[Settlement of Lawsuit - Sixta Santiago]**
Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for $115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)
6/21/04, RECEIVED AND ASSIGNED to Rules Committee.

040887 **[Mission Bay - Park P1 Improvements]**

Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance. (Public Works Department)

6/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

040858 **[Accept-Expend Federal Grant]**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $82,400 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plan for Fiscal Year 2006 and the FY2004 SRTP Interim Update. (Municipal Transportation Agency)

6/15/04, RECEIVED AND ASSIGNED to Land Use Committee.

040859 **[Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark] Supervisor Peskin**

Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

6/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

040891 **[Mission Bay South Access and Other Agreements]**

Resolution approving one new agreement to extend the terms of terminated agreement and to exercise options for extensions of seven other terminated agreements, all containing easements and licenses for access, use, maintenance and operation of infrastructure improvements in Mission Bay South, making such actions retroactive to the date of their respective terminations and authorizing other official actions. (Public Works Department)

6/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To conduct a traffic study at the intersection of 22nd and Wisconsin and return with recommendations. Wisconsin Street is a steep hill and 22nd street has perpendicular parking. These two issues impair the vision of the driver at this intersection

In Memoriams

Guerremo Fuentes (Supervisor Ammiano)
Jose Espinal (Supervisor Ammiano)
Robert F. Hermanson (Supervisor Ammiano)
Carol Tarlen (Supervisor Daly)
Tony Humber (Supervisor Dufty)
Babe Weeks (Supervisor Dufty)
Carl Rakosi (Supervisor Gonzalez)
Kathleen Loftus (Supervisor Hall)
Helen Chin (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 8:40 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 10, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, July 13, 2004
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony*

Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Maxwell, moved to approve May 25, 2004, June 8, 2004 and June 15, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

040638 **[Emergency Interim Agreement for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]**

Resolution approving the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and between the City and County of San

Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn, and a Transition Agreement between the City, San Francisco AutoReturn, and City Tow. (Parking and Traffic Department)

Enacted Number: 423-04
ADOPTED

040708 **[Contracting out Services - Interim Emergency Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles]**

Resolution concurring with Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles than to provide the same services with City and County Employees. (Parking and Traffic Department)

Enacted Number: 425-04
ADOPTED

040663 **[Contracting out Parking Meter Management System]**

Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

Enacted Number: 424-04
ADOPTED

040821 **[2005 Finance Corporation Equipment Program]** Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 12 (Series 2005A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

Enacted Number: 428-04

ADOPTED

040827 **[Amendment to Paratransit Broker Agreement]** **Mayor**

Resolution approving Amendment No. 3A to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to increase the contract amount by $15,308,656 for a total contract amount not to exceed $92,641,933, in order to meet the increased demand and costs for paratransit service during the term of the Agreement.

(Fiscal impact.)

Enacted Number: 430-04

ADOPTED

040749 **[Mayor's Fund for the Homeless]**

Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health. (Mayor)

Enacted Number: 162-04

FINALLY PASSED

040756 **[Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]**

Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities. (Mayor)

Enacted Number: 164-04

FINALLY PASSED

040762 **[Salary and Wage Deductions]**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund. (Mayor)

Enacted Number: 165-04

FINALLY PASSED

040871 **[Appropriate funding for San Francisco General and Laguna Honda Hospital operations]** Mayor

Ordinance appropriating $11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and $1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of $12,307,000 for the Public Health Department for fiscal year 2003-04.

Enacted Number: 166-04

FINALLY PASSED

040873 **[Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]** Mayor

Ordinance appropriating $9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include $3,581,080 from the Port of San Francisco's unappropriated fund balance, $4,300,000 in contributions from Catellus Corporation and $2,117,059 from environmental impact mitigation fees.

(Fiscal impact.)

Enacted Number: 168-04

FINALLY PASSED

Recommendations of the Rules Committee

040664 **[Settlement of Lawsuit - Joyce Vanman]**

Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for $175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco. (City Attorney)

Enacted Number: 157-04

FINALLY PASSED

040665 **[Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]**

Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for $29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses. (City Attorney)

Enacted Number: 193-04
FINALLY PASSED

040697 [Settlement of Lawsuit - Caleb Mather]

Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for $45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 192-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]

Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by

private lab; and specimen storage; and making environmental findings. (Mayor)

Enacted Number: 163-04

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Gonzalez, Hall

Recommendation of the Finance and Audits Committee

040872 [Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff] Mayor

Ordinance appropriating $500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating $552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating $3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing $3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

Enacted Number: 167-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Gonzalez

Recommendations of the Rules Committee

040709 [Dismissal of Lawsuit - Scott Co. of California, et al.]

Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al. (City Attorney)

Enacted 161-04

Number:

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040648 [Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data **Supervisor Daly**

Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Ammiano, moved to rescind the previous vote.

Motion to rescind the previous vote carried by the followed vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin

Noes: 4 - Alioto-Pier, Dufty, Ma, Sandoval

Absent: 1 - Hall

Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole.

Amendment of the whole failed by following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval

Noes: 6 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Peskin

Absent: 1- McGoldrick

NOT ORDERED SUBMITTED by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget Committee

040781 [Annual Budget, Fiscal Year 2004-05] Supervisor Sandoval

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2004-2005.

Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Continued to July 20, 2004

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040725 [Government Funding for Fiscal Year 2004-2005]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.) Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Continued to July 20, 2004

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040726 [Public Employment, Fiscal Year 2004-2005]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Continued to July 20, 2004

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040784 **[Treasure Island Development Authority Budget]** **Mayor**

Resolution approving the budget of the Treasure Island Development Authority for Fiscal Year 2004-2005 and authorizing the Treasure Island Development Authority to enter into an Agency Agreement with the San Francisco Redevelopment Agency for the provision of employee services.

(Fiscal impact.)

Enacted Number: 416-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040728 **[Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005. (Mayor)

(Fiscal impact.)

Enacted Number: 418-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040730 **[Establishing Arts Commission Civic Design Review Fees]**

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040732 **[Chlorofluorocarbon Recovery and Recycling Fees]**

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040733 **[Hazardous Waste Management Fees]**

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040734 **[Medical Waste Generator Registration, Permitting, Inspections Fees]**

Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040735 **[Risk Management Program Fees]**

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040736 **[Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]**

Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from $250 to $500. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040738 **[Amending the San Francisco Fire Code to Increase Fees for Service]**

Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040739 **[Revising Annual Fire Department Permit Fees]**

Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241,242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at $240 per year, to become operative on January 1, 2005. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040743 **[Setting parking fees for City parking facilities]**

Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set a parking fee for City facilities, and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040747 [Hazardous Materials Fees]

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040748 [Patient Rates]

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040757 [Increasing the Emergency Response Fee imposed on telephone subscribers]

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040759 [Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 1.13-9, 1.15.1, 2A.221, 21.33 and 91.2, and amending the San Francisco Police Code by amending sections 674, 4903, 4904, 4905, 4908 and 4910, to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner-Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance and ordinances governing agreements with the State for pest detection, the establishment of fees for testing weighing and measuring devices, the inspection of commodities supplied to the City by contractors, the regulation of tobacco advertising, and the requirement that parking stations have Revenue Control Equipment. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040765 **[Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]**

Resolution making environmental findings and approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a). (Mayor)

Enacted Number: 427-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040764 **[Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]**

Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin,

Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040239 [Extending provisional appointments]

Resolution approving extension to January 31, 2005 of provisional appointments of employees in classifications 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 9343 Roofer, and H-30 Captain (Fire Department) and 60 promotive provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, and 0943 Manager VIII. (Human Resources Department)

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040491 [Extending provisional appointments]

Resolution approving extension to January 31, 2005 of 42 entrance provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, and 0943 Manager VIII.

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040785 [Fiscal Emergency Proposition J Contract - Mainframe Support] Mayor

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.

Enacted Number: 444-04

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Gonzalez, Ma

Supervisor Daly, seconded by Supervisor Maxwell, moved to rescind the previous vote.

Motion to rescind the previous vote carried without objection.

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Hall, Ma

040767 [Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

From the Budget Committee "Without Recommendation"

040729 [Waiver of storage fees for stolen vehicles owned by residents]

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Daly, Dufty, Hall, Ma

040746 [Economic and Workforce Development Department]

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

Recommendation of the City Services Committee

040684 [Public Information Pilot Project] Supervisors Gonzalez, Dufty

Resolution urging City Departments to share departmental database data for an informational pilot project with the San Francisco Survival Manual publication for the benefit of both community organizations and the larger city-wide community.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 421-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

Recommendations of the Finance and Audits Committee

040540 [Prevailing wages in contracts for moving services; nonprofit organizations exclusion] Supervisors Ammiano, Daly

Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040766 [Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]

Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040737 **[Creating Working Families Credit Program and Fund]** **Supervisors Ammiano, Daly, Dufty**

Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund. (Mayor)

Amended on page 2, line 10, after "Chapter 12S" by adding "beginning with the tax year 2004."

Supervisor Dufty requested to be added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Sandoval, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040741 **[Eligibility of boards and commissions for health benefits]**

Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System. (Mayor)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040745 **[Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6: to provide that the annual Rent Board fee per unit billed to the owners will continue to be determined by the City Controller based on the total

projected annual cost of funding the Rent Board divided by the number of rental units required to pay the fee, but that the Board of Supervisors would no longer be required to periodically enact a statutory maximum fee per unit; to eliminate the two-year sunset provision enacted in 2002 and provide that an owner may instead recover up to 50% of the annual fee for each unit from the occupants of the unit, instead of permitting recovery of $21.50 per unit as provided during the last two years and instead of permitting recovery of 100% as provided in prior years; and, making environmental findings. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040876 **[Department of Human Services Cash Revolving Fund]** Mayor

Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040909 **[Neighborhood Historical Resources Preservation Bonds]** Supervisors Peskin, McGoldrick, Sandoval, Hall

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars ($60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on

ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.

(Fiscal impact.)

Supervisors McGoldrick, Sandoval and Hall requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ma

040822 **[Interdepartmental jurisdictional transfer of a portion of the Youth Guidance Center site]** **Mayor**

Resolution Transferring Jurisdiction of Approximately Two Acres of the Youth Guidance Center Property, Located at 375 Woodside Avenue, San Francisco, and Identified as a Portion of Assessor's Block 2842, Lot 007, from the Juvenile Probation Department to the Real Estate Division of the Administrative Services Department To Hold in Trust for the Superior Court of the City and County of San Francisco for Future Court Uses In Exchange for the Fair Market Value of the Property; and Adopting Findings that the Transfer of Jurisdiction Is Consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

Enacted Number: 429-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040944 **[Payment of Reward]** **Mayor**

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Noes: 1 - Hall
Absent: 2 - Ammiano, McGoldrick

040837 **[Funding departmental energy use]** **Supervisor Daly**

Resolution adopting policy setting annual appropriations for General Fund Departments at levels sufficient to compensate Hetch Hetchy Water & Power for all electricity sales to such departments at a rate that at a minimum reflects the same cost of service principles outlined in the City Charter. (Sec.8B.125. Rates).

Enacted Number: 431-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

040943 **[Contract with ValueOptions, Inc. to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]** Mayor

Resolution approving a contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2004 through June 30, 2005.

Enacted Number: 419-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

From the Finance and Audits Committee "Without Recommendation"

040714 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to Accept and Expend $41,002,071 of Federal Formula Section 5307 and Congestion Mitigation for Air Quality Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

Enacted Number: 426-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez
Absent: 1 - Ammiano

040826 **[Agreement for naming rights]** Mayor

Resolution approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for naming rights at the stadium.

Supervisor Daly dissented in Committee.

Enacted Number: 417-04

ADOPTED by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Daly, Gonzalez, Sandoval
Absent: 1 - Ammiano

Supervisor Ammiano, seconded by Supervisor Daly, moved to rescind the previous vote.

Motion carried without objection.

ADOPTED by the following vote:
Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Gonzalez, Sandoval

Recommendation of the Rules Committee

040646 **[Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]** **Supervisors Hall, McGoldrick**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

Continued to July 20, 2004

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

CALLED FROM COMMITTEE

040592 **[Payroll Expense Tax Exclusion for Biotechnology Business]** **Supervisors Alioto-Pier, Ma, Hall**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

Continued to July 20, 2004

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

040432 **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

040433 **[Report of assessment costs for sidewalk and curb repairs - DPW Order No. 174,747]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street. (Public Works Department)

(DPW Work Order No. 174,747; Locations: 873 Alvarado Street; 850 Geary Street; 162-164 Langton Street; 168 Langton Street; 170-10th Street; and 3356/3360-24th Street.)

Report of assessment costs amended by deleting property located at 873 Alvarado Street and 162-164 Langton Street.

Enacted Number: 422-04

Supervisor Peskin, seconded by Supervisor Hall, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Peskin, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented Certificates of Honor to San Francisco Police Officers from Central Police Station.

Supervisor Ammiano expressed his gratitude to Brad Benson, Legislative Aide who will be leaving Supervisor Ammiano's staff.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

040969 **[Hearing - Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]**

Hearing to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance. (Clerk of the Board)

Female speaker; support of legislation

Male speaker; support of legislation

Male speaker; support of legislation

Female speaker; support of legislation

Male speaker; support of legislation

Male speaker; support of legislation

Male speaker; support of legislation

Male speaker; support of legislation

Female speaker; support of legislation

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

040954 **[Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]** Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier, Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars ($200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

July 20, 2004 with the Board Sitting as a Committee of the Whole

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

COMMITTEE REPORTS

040642 **[Charter Amendment - Authorizing health plans for City residents]** **Supervisors Daly, Ammiano**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040643 **[Charter Amendment - Health Service System]** **Supervisors Daly, McGoldrick**

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following

vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040647 **[Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]** Supervisors Sandoval, Daly

Charter amendment (Third Draft) by amending Sections 8A.102, 8A.103, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed $250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Municipal Transportation Agency must comply with voter-approved ordinances; the Agency's service standards shall be modified; the Board of Supervisors may reject proposed service reductions; the Director of Transportation and the Controller shall develop budget reporting standards for the Agency; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Continued to July 20, 2004

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be **CONTINUED.** The motion carried by the following **vote:**

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040981 **[Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the** Supervisor Gonzalez

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

Continued to July 20, 2004

Supervisor Hall, seconded by Supervisor Peskin, moved that this Charter Amendment be **CONTINUED.** The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040645 **[Charter Amendment - Non-Citizen Voting in School Board Elections]** **Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

Continued to July 20, 2004

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040751 **[Transactions and Use Tax]**

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code. (Mayor)

Supervisor Hall, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor. (Mayor)

Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040758 **[Business Tax]** Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"),and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040978 [Business Tax] Supervisor Daly

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee. COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

Continued to July 20, 2004 with the Board Sitting as a Committee of the

Whole

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040979 [Business Tax] **Supervisor Ammiano**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax, until replaced through a subsequent voter-approved alternate business tax structure following a comprehensive analysis and report by the Controller based on two complete years of actual collections,on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, to a lower rate thereafter, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"); and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee. COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues

Lynn Butcher; property to be included in Golden Gate National Park Area

Vernon Jenkins; general issues

Richard Robertson; general issues

Male speaker; general issues

Male speaker; Recreation and Park budget issues

Female speaker; sewer service charges

Male speaker; tax and Muni issues

Joe Wilson, childcare issues

James Stuey; Bastille Day

Male speaker; readings

Male speaker; taxi issues

Recommendation of the Rules Committee

040721 **[Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to divide the question regarding the attorney's fee for Department of Elections and the attorney's for the Civil Service Commission.

See File No. 041028 for the question regarding payment for attorney fees for the Civil Service Commission.

DIVIDED.

Ordinance authorizing payment of attorneys fees and costs incurred by the Elections Commission in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 1 - Sandoval

041028 [Payment of Attorneys Fees]

Ordinance authorizing payment of attorneys fees and costs incurred by the Civil Service Commission by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Sandoval
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

From the Rules Committee with Recommendation "Do Not Pass"

040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

Supervisor Maxwell dissented in Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

Absent: 1 - Ammiano

CLOSED SESSION

040711 [Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation. (City Attorney)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040945 [Authorizing Trial Courts to require payment of legal fees by defendants upon finding of ability to pay] Supervisors Gonzalez, Hall

Resolution authorizing the San Francisco Trial Courts to require payment of legal fees by a defendant who is provided legal counsel through the Public Defender's Office or private counsel appointed by the court, upon a finding by the court that the defendant has the ability to pay all or part of the cost

of legal assistance.

Supervisor Hall requested to be added as a co-sponsor.

Enacted Number: 432-04

ADOPTED

040957 **[Commemorating the Chinatown Night Market Fair Grand Opening]** Supervisors Ma, Dufty

Resolution commemorating the Chinatown Night Market Fair Grand Opening Celebration.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 433-04

ADOPTED

040958 **[Residential Permit Parking Area "A" on Broadway and Jones Streets]** Supervisor Peskin

Resolution establishing Residential Permit Parking Area "A" on Broadway and Jones Streets.

RESIDENTIAL PERMIT PARKING AREA "C" - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).
Jones, both sides between Broadway Street and Pacific Avenue.

Enacted Number: 434-04

ADOPTED

040959 **[Perpendicular Parking on Broadway at Jones Street]** Supervisor Peskin

Resolution establishing perpendicular (90-Degree angle) Parking on the 1000 block of Broadway.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).

Enacted Number: 435-04

ADOPTED

040960 **[Requesting DTIS to Evaluate and Make Recommendations on Stolen Vehicles]** Supervisors Dufty, Alioto-Pier

Resolution requesting the Department of Telecommunications and Information Services (DTIS) to evaluate and make recommendations on the needed steps so that the San Francisco Department of Parking and Traffic

and Police Department can share data on stolen vehicles.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Enacted Number: 436-04

ADOPTED

040962 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M04-83

APPROVED

040935 **[Final Map for a 20 Unit Live/Work Condominium Project - Villa dei Fiori, 767 Bryant Street]**

Motion approving Final Map of Villa dei Fiori, 767 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3778, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,872; District 6.)

Enacted Number: M04-80

APPROVED

040936 **[Final Map for a 8 Unit Residential Condominium Project - 926 Grove Street]**

Motion approving Final Map of 926 Grove Street, a Residential Condominium Project, being a subdivision of Lot 32 in Assessor's Block No. 798, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,873; District 5.)

Enacted Number: M04-81

APPROVED

040937 **[Final Map for a 250 Unit Residential Condominium Project - Mission Bay, 255 King Street]**

Motion approving Final Map of Avalon at Mission Bay, 255 King Street, a Residential Condominium Project, being a subdivision of Parcel "A" Lot 10 in Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,874; District 6.)

Enacted Number: M04-082
APPROVED

040964 **[Final Map for a 34 Unit Mixed-Use Condominium Project - 280 Fell Street and 300 Gough]**

Motion approving Final Map of 280 Fell Street and 300 Gough Street, a Mixed-Use Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 816, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,882; District 6.)

Enacted Number: M04-84
APPROVED

040965 **[Final Map for a 35 Unit Mixed-Use Condominium Project - 3435, 3445 and 3455 Geary Boulevard]**

Motion approving Final Map of 3435, 3445 and 3455 Geary Boulevard, a Mixed-Use Condominium Project, being a subdivision of Lot 41 in Assessor's Block No. 1085, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,881; District 2.)

Enacted Number: M04-85
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from Without Reference to Committee Agenda

040968 **[Committee of the Whole - Supportive and** Supervisor Ammiano

Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]

Motion authorizing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, July 13, 2004 at 4:00 p.m. to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

Enacted Number: M04-86

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

040961 **[Consolidation of BART Election - 11/2/04]** **Supervisor Ammiano**

Resolution consolidating the Bay Area Rapid Transit District Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 2, 2004 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.

Amended by replacing "District 8" with "Districts 7 and 9".

Supervisor Daly, seconded by Supervisor Peskin, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

Supervisor Hall requested that this matter be severed so that it might be considered separately.

040956 **[Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers]** **Supervisor Ammiano**

Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified

School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.

REFERRED to the City Services Committee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

040995 [Commending Terence Hallinan] Supervisors Daly, Gonzalez, Dufty, Maxwell, McGoldrick

Resolution commending Terence Hallinan for his distinguished career in public service.

Enacted Number: 420-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

040996 [Commending Joe Wilson] Supervisors Daly, Dufty

Resolution commending Joe Wilson for 10 years of service at Coleman Advocates for Children and Youth.

Enacted Number: 438-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

020188 **[Designating 300 Bartlett Street, The Carnegie Mission Branch Library as Landmark No. 234]** **Supervisors Ammiano, Peskin, Maxwell**

Ordinance designating 300 Bartlett Street, the Carnegie Mission Branch Library, as Landmark No. 234 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

2/4/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

3/4/04, FILED PURSUANT TO RULE 5.37.

7/13/04, ASSIGNED to Land Use Committee.

7/13/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated.

030142 **[Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]** **Supervisors Elsbernd, Peskin, Maxwell**

Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, As Landmark No. 231 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

1/27/03, RECEIVED AND ASSIGNED to Transportation and Commerce

Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

3/4/04, FILED PURSUANT TO RULE 5.37.

7/13/04, ASSIGNED to Land Use Committee.

7/13/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated.

031932 **[Restricting the sale of large caliber firearms, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms sales]** Supervisor Gonzalez

Ordinance amending the Police Code by deleting Sections 552, 556 and 557, relating to possession of firearms by minors and possession of facsimile firearms in order to conform to state law, amending Section 602 to delete redundant provisions and provisions relating to air guns in order to conform to state law; amending Sections 613.1, 613.10 and 613.10-1 to delete requirements relating to "Saturday Night Specials," restrictions on the sale of large capacity magazines and various other requirements relating to firearms dealers in order to conform to state law and add new requirements in Section 613.10-1 to restrict the sale or transfer of 50 caliber firearms and ammunition; amending Section 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license and such applicants' employees; amending Sections 613, 613.10-3, 613.12, 613.16, 613.19, 617 and 618 to make technical and conforming corrections; amending Section 613.10-2, restricting the sale of ultracompact firearms to update findings and exceptions to restrictions on sales, deleting Sections 614 through 616, relating to reporting of firearms sales by dealers in order to conform to state law, renumbering existing Sections 617 and 618 as Sections 614 and 615; and adding a new Section 616, requiring owners of firearms to report the loss or theft of a firearm to the Police Department.

11/25/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 12/25/2003.

7/13/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

7/13/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 8/12/2004.

040987 **[Including biotechnology business to the First Source Hiring Program]** Supervisors Maxwell, Dufty, Gonzalez

Ordinance amending Administrative Code section 83.4 to define and include biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program.

7/13/04, RECEIVED AND ASSIGNED.

040988 **[Prohibiting contractors from disclosing private information about individuals obtained from the** Supervisors McGoldrick, Peskin, Maxwell,

City and County without written approval or authorization by law] Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America] Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/12/2004.

040997 [Zoning Map amendment] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification of Block 3787, Lots 10, 11, 12, 13, 18, 24, 26, 27, 28, 50, 51, and 166 from SLI (Service Light Industrial) to SSO (Service/Secondary Office) in the South of Market Area.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

040998 [SSO Zoning District - Allowing Financial Service] Supervisors Daly, Peskin

Ordinance amending the San Francisco Planning Code by amending Section 818 and adding Section 818.32 to Table 818 to allow a financial service use in an SSO (Service/Secondary Office) zoning district; adopting findings.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

041000 [Cost recovery fees for area plans, rezonings and programmatic environmental reviews] Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by adding Section 358 to impose a fee surcharge on projects in certain areas to recover the City's actual costs in developing an area plan, specific plan, or rezoning study or preparing a programmatic environmental document for that area; amending the San Francisco Administrative Code by adding Section 10.100-370 to

establish a special fund to receive the cost recovery fees and other moneys and to fund the development of future area plans, rezoning studies and programmatic environmental documents; and adopting Section 302 and environmental findings.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/12/2004. Statutory Exemption under CEQA Guidelines Section 15273 issued on June 17, 2004 in file. Planning Commission recommendation in file.

041001 **[Use of City funds to Demolish Historic Properties Prohibited]** Supervisors Peskin, Ammiano, Daly, McGoldrick, Gonzalez

Ordinance amending the Administrative Code by adding Chapter 10A to provide that City funds may not be used to demolish historic properties.

7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

041002 **[Provide for Landmarks Preservation Advisory Board Advice on Alterations to Historic Properties; Time and Material Charges]** Supervisors Peskin, Ammiano

Ordinance amending Section 1009 and Section 356 of the Planning Code to provide that property owners may seek the written advice of the Landmarks Preservation Advisory Board as to whether proposed alterations to an historic property are consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating Restoring, and Reconstructing Historic Buildings, defining historic properties, providing that the Planning Department may charge any party requesting the Advisory Board's advice for the Department's time and materials costs, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

041003 **[Parking Control - Dr. Carlton B. Goodlett Place]** Supervisor Maxwell

Ordinance amending Article 3, Section 32.6.21 of the San Francisco Traffic Code to extend the boundary of the existing permit area, remove the official city-owned vehicle requirement and to replace references to Polk Street with Dr. Carlton B. Goodlett Place to reflect official name change.

7/13/04, RECEIVED AND ASSIGNED to Land Use Committee.

041004 **[Tenant Ownership Program]** Supervisor Elsbernd

Ordinance amending the San Francisco Subdivision Code by adding Article 11, consisting of Sections 1399.1 through 1399.14 to permit the conversion of existing residential buildings to residential condominium or other ownership subject to certain requirements.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

041005 [Pedestrian Protections] Supervisors Ma, Alioto-Pier, Dufty

Ordinance adding Sections 71, 73, 75, 79 to the San Francisco Traffic Code to require the Director of Parking and Traffic to: (1) install countdown pedestrian signals and ladder striped crosswalks by July 1, 2009, (2) designate specific crosswalk signal crossing times, and (3) upon the recommendation of the Pedestrian Safety Advisory Committee, install one hundred signs a year for three years informing the public regarding prohibited sidewalk activities; amending Sections 27, 38.B, 38.K, 39 and Section 219 of the San Francisco Traffic Code to require the Director of Parking and Traffic to designate: (1) two to ten motorcycle parking spaces per block in commercial areas and one to four motorcycle parking spaces per block in residential areas by July 1, 2006, (2) one yellow zone on every block in the Metropolitan Traffic District, (3) one blue zone and taxicab stand on every block in the Metropolitan Traffic District with a residential building with fourteen or more units, and (4) one taxicab stand for every hotel in the Metropolitan Traffic District; amending Section 703 of the San Francisco Public Works Code to require that all curb heights and adjacent sidewalks be a minimum height of six to eight inches as measured from the gutter by July 1, 2024; and adding Sections 703.3 and 703.4 to the San Francisco Public Works Code to require the Director of Public Works to install (1) corner curb bulb-outs on Geary Boulevard, Van Ness Avenue, 19th Avenue, Mission Street, Geneva Avenue, and at the intersections of Dr. Carlton B. Goodlett Place and McAllister and Grove Streets as permitted by state and local law and (2) ADA compliant curb-cut ramps on every sidewalk corner in the City.

(Fiscal impact.)

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

041006 [Establishing cable television customer service requirements] Supervisor Peskin

Ordinance establishing customer service requirements for cable television and open video system operators.

7/13/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/12/2004.

Resolutions

040956 [Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers] Supervisor Ammiano

Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified

School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.

6/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/13/04, REFERRED to City Services Committee.

040991 [Accept - Expend State Grant] Mayor, Supervisor Dufty

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $386,423 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Depts. notified of City Services Committee meeting on August 5, 2004.

040992 [Hunters Point Shipyard Cooperative Agreement for Fire Services]

Resolution authorizing the San Francisco Fire Department to accept and enter into a grant agreement with the United States Navy reimbursing the San Francisco Fire Department for the costs of providing fire services to portions of the Hunters Point Shipyard remaining under federal ownership. (Mayor)

7/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040994 [Small Business Act] Supervisors Hall, Ma

Resolution urging the United States Senate to continue funding the 7(a) loan program of the Small Business Act in order to insure the development of small businesses throughout the United States.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041011 [Supporting AB 3042] Supervisors Ammiano, Dufty

Resolution supporting AB 3042 which protects the child victims of commercial sexual exploitation.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041012 [Commending Daniel A. Sullivan] Supervisors Dufty, Ma, Maxwell, Alioto-Pier, Peskin

Resolution commending Daniel A. Sullivan for his years of contribution to the City and County of San Francisco.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

041013 [Commending Stanlee R. Gatti] Supervisors Dufty, Alioto-Pier

Resolution acknowledging and commending Stanlee R. Gatti for his service as the President of the San Francisco Arts Commission from January 1996 to July 2004 during which time he improved San Francisco's urban cultural environment.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041014 [Ben Davis Inc.] Supervisors Daly, Maxwell, Gonzalez, McGoldrick, Ma

Resolution urging Ben Davis Inc. to act in good faith to reach a mutually satisfactory settlement on its wages and benefits package for its workers at the Ben Davis factory in San Francisco.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041015 [Urging Support for Preservation and Restoration of Belli Buildings] Supervisor Peskin

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041016 [Manilatown] Supervisors Peskin, Sandoval, Ammiano, Dufty, Ma

Resolution supporting the establishment of Manilatown as a Filipino historical and cultural center in Chinatown.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041017 [Community Action Plan for Seismic Safety (CAPSS) Report] Supervisors Ma, Alioto-Pier, Dufty

Resolution urging the Department of Building Inspection to complete and finalize work on their Community Action Plan for Seismic Safety (CAPSS) Report - a study that will include cost-effective mitigation strategies and economic incentives to help avoid future disasters.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041029 **[Authorizing the San Francisco Sheriff to enter into a contract with California Department of Corrections]** Supervisor Sandoval

Resolution authorizing the San Francisco Sheriff or his designee to enter into contract with the California Department of Corrections (CDC) for the provision of a Substance Abuse Treatment and Control Unit (SATCU) in the City and County of San Francisco when Parole and Community Services Division personnel conclude that there are reasonable grounds for believing that a parolee is addicted to, or habituated to, or is in imminent danger of addiction to controlled substances or alcohol.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040983 **[Contracting out Budget Analyst Services]**

Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees. (Clerk of the Board)

7/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests for Hearings

040984 **[2003-2004 Civil Grand Jury Report, County Community Schools: Poor Stepchildren of the San Francisco Unified School District]** Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report, on the County Community Schools.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

040985 **[2003-2004 Civil Grand Jury Report, On-Time Performance and Service Goals Remain a Fiction: MUNI's Mismanagement and Worker Problems]** Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report, on the Municipal Transportation mismanagement and worker problems.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

040986 [Conceptual plan for Glen Park's the Coastal Conservancy Grant as approved by the Recreation and Park Commission] Supervisor Dufty

Hearing to receive an update from the Recreation and Park Department on the conceptual plan for the Coastal Conservancy Grant for Glen Park Canyon.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Recreation and Park Dept. notified of August 5, 2004 City Services Committee meeting.

040990 [Proposed Merger of S.F. Grants for the Arts and S.F. Arts Commission] Supervisor Gonzalez

Hearing on the proposed merger of the San Francisco Grants for the Arts with the San Francisco Arts Commission.

7/13/04, RECEIVED AND ASSIGNED to Rules Committee.

041007 [2003-2004 Civil Grand Jury Report, San Francisco Department of Child Support Services: Putting the Child First] Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on Child Support Services.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

041008 [2003-2004 San Francisco Civil Grand Jury Report, San Francisco Sheriff's Department of Grievance: A Solution] Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the Sheriff's Department grievances and solution.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

041009 [2003-2004 San Francisco Civil Grand Jury Report, San Francisco Sheriff's Department of Grievance: A Solution] Supervisor Dufty

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on on the Sheriff's Department grievances.

7/13/04, RECEIVED AND ASSIGNED to City Services Committee.

Motions

041010 [Needle Exchange Emergency] Supervisors Ammiano,

Daly, Peskin,
McGoldrick, Maxwell,
Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue. (Parking and Traffic Department)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for $33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

6/24/04, RECEIVED AND ASSIGNED to Rules Committee.

040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for $28,290 to William Salazar and $6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars ($80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et

al. (City Attorney)
7/1/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040892 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Noriega Street at 25th Avenue, making this intersection an all-way STOP;
Olmstead Street, stopping westbound Olmstead Street at University Street;
Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled;
Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue,
stopping the stem of this T-intersection;
Loehr Street, stopping Visitacion Avenue at Loehr Street, making this intersection an all-way STOP;
Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP;
Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and
Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)
6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

040893 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING ESTABLISH
Frederick Street, north side, from Delmar Street to 9 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions; and
Cunningham Place, south side (60-foot zone), legalizing existing conditions.

NO PARKING ANYTIME - ESTABLISH
Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO STOPPING, MONDAY THORUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND
Howard Street, at 5th Street.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Taylor Street, both sides, from Francisco Street to 124 feet northerly.

TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH
Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

NO PARKING ANYTIME - ESTABLISH
Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND
Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Roanoke Street, both sides, between Arlington Street and southern terminus.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND
Harrison Street, north side, between 11th Street and Norfolk Street.
(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

040894 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

MUNI VEHICLES ONLY - ESTABLISH
Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

ONE-WAY NORTHBOUND TRAFFIC DESIGNATION - RESCIND
Arago Street, between Havelock and Paulding Streets.

ONE-WAY STREET - ESTABLISH
Hattie Street, southbound, between Market and 18th Streets; and

Hattie Street, northbound, between Market and Corbett Streets.

RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH
Howard Street, from 3rd Street to 250 feet westerly.

BICYCLE LANES - ESTABLISH
Howard Street, north side, from 5th Street to Fremont Street.

TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND
Masonic Avenue, southbound, at Geary Boulevard. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

040896 **[Contracting Out Facility Security Services]**

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

6/25/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040933 **[Disapproving Street Encroachment at 601-605 Market Street]**

Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001). (Public Works Department)

(Companion measure to File 040934.)

6/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

040934 **[Approving Street Encroachment at 601-605 Market Street]**

Resolution reversing the recommendation of the Director of Public Works and approving permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001) and making findings of consistency with the General Plan priority policies and Planning Code Section 101.1. (Public Works Department)

6/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

040938 [Settlement of Administrative Civil Liability Complaint]

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed $110,000, plus payment of an $8,000 penalty. (City Attorney)

7/2/04, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible so that final approval can be obtained at the July 27, 2004 Board meeting.

040966 [Contracting out Airport Employee Parking Services]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040967 [Contracting out Airport Public Parking Services]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To schedule a closed session with the Board of Supervisors to review the possibility of changing the franchise agreement with RCN Telecom services, Inc. to provide for an Open Video System (OVS) franchise and the possible legal issues that such a change may raise.

From: Supervisors Ma, Alioto-Pier, and Dufty

To: Director, Office of Emergency Services

Requesting/Inquiring: To report and confirm the status of the City's Hazard Mitigation Plan.

In Memoriams

Elvira "Vera" Gutierrez (Supervisor Dufty)

Alma Victoria Taylor (Supervisor Maxwell)

Eric Dean Thomas (Supervisor Maxwell)

Rose Chu Fong (Supervisors Peskin, Dufty)

Ellen Ramsey Sanger (Supervisors Peskin, Alioto-Pier)

Dr. Mario Borja (Supervisors Daly, Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 7:00 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 17, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

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翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

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MEETING MINUTES

Tuesday, July 20, 2004
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris*

Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were present.

Quorum present.

CONSENT AGENDA

Recommendation of the City Services Committee

040913 [Study of at-risk and HIV positive youth in San Francisco] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $19,800 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2004, to February 28, 2005.

Enacted Number: 445-04

ADOPTED

Recommendations of the Finance and Audits Committee

040737 [Creating Working Families Credit Program and Fund] **Supervisors Ammiano, Daly, Dufty**

Ordinance amending the San Francisco Administrative Code by adding

Section 125.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund. (Mayor)

Enacted Number: 194-04
FINALLY PASSED

040741 **[Eligibility of boards and commissions for health benefits]**
Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System. (Mayor)

(Fiscal impact.)

Enacted Number: 181-04
FINALLY PASSED

040766 **[Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]**
Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B. (Mayor)

Enacted Number: 189-04
FINALLY PASSED

040876 **[Department of Human Services Cash Revolving Fund]** Mayor
Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.

Enacted Number: 191-04
FINALLY PASSED

Recommendations of the Rules Committee

040639 [Appointment - Ballot Simplification Committee]

Resolution appointing Suzanne Strassevitch, term ending November 30, 2004, to the Ballot Simplification Committee.

Suzanne Strassevitch, succeeding Phyllis Smith, term expired, Seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2004.

Enacted Number: 442-04
ADOPTED

041019 [Appointment - Ballot Simplification Committee]

Resolution appointing Alma Carroll, term ending November 30, 2004, to the Ballot Simplification Committee.

Alma Carroll, succeeding John Odell, resigned, Seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

Enacted Number: 452-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040970 [Adopting findings related to the conditional use appeal on property located at 3372-3378 Mission Street (aka 3350 Mission Street)]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 16782 (which approved the installation of a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; (Lot 055 in Assessor's Block 6635). (Clerk of the Board)

(Companion measure to Files 040862, 040863, 040864, 040865.

Enacted Number: M04-88

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Hall

Recommendations of the Budget Committee

040781 [Annual Budget, Fiscal Year 2004-05] **Supervisor Sandoval**

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2004-2005.

Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Amended. See Files 040725 and 040726 for amendments.

Continued to July 27, 2004

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040725 [Government Funding for Fiscal Year 2004-2005]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.) Supervisor Daly dissented in Committee. (Charter Section

9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. Supervisor Daly withdrew the previous motion.

Supervisor Daly, seconded by Supervisor Ammiano, moved to restore $248,000 for Wages Plus for Child Care from the General Fund Reserve.

Motion failed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Peskin

Noes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Sandoval

Supervisor Sandoval, seconded by Supervsor Dufty, moved to amend to fund the Wages Plus for Child Care from the reserve $2 million from the Department of Children, Youth and Families.

Motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1- Daly

Supervisor Daly, seconded by Supervisor Ammiano, moved to restore $243,000 for the Homeless Assertive Case Management.

Motion failed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Peskin

Noes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Sandoval

Supervisor Ammiano, seconded by Supervisor Daly, moved to restore $487,000 for Homeless Service Providers.

Motion failed by the following vote:

Ayes: 5 - Ammiano, Daly, Gonzalez, Maxwell, Peskin

Noes: 6 - Alioto-Pier, Dufty, Hall, Ma , McGoldrick, Sandoval

Supervisor Daly moved to restore $88,900 for 1 FTE 8322 Counselor.

Motion failed for lack of a second.

Supervisor Daly, seconded by Supervisor Ammiano, to restore $550,000 for a Health Center Director, Class 2244 at 50%; to resstroe $100,000 for a Nurse Adminsitrator, Class 2143 and to restore $90,000 for Program Analyst, Class 2917, Department of Public Health.

Motion failed by the following vote:

Ayes: 5 - Ammiano, Daly, Dufty, Gonzalez, Maxwell

Noes: 6 - Alioto-Pier, Hall, Ma, McGoldrick, Peskin,

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040726 [Public Employment, Fiscal Year 2004-2005]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040730 [Establishing Arts Commission Civic Design Review Fees]

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings. (Mayor)

Enacted Number: 173-04

FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040732 [Chlorofluorocarbon Recovery and Recycling Fees]

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover

program costs; and making environmental findings. (Mayor)

Enacted Number: 174-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040733 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

Enacted Number: 175-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040734 [Medical Waste Generator Registration, Permitting, Inspections Fees]

Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

Enacted Number: 176-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040735 [Risk Management Program Fees]

Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

Enacted 177-04

Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040736 [Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]

Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from $250 to $500. (Mayor)

Enacted 178-04
Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040738 [Amending the San Francisco Fire Code to Increase Fees for Service]

Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services. (Mayor)

Enacted 179-04
Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040739 [Revising Annual Fire Department Permit Fees]

Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241,242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at $240 per year, to become operative on January 1, 2005. (Mayor)

Enacted 180-04
Number:

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040743 **[Setting parking fees for City parking facilities]**

Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set a parking fee for City facilities, and making environmental findings. (Mayor)

Enacted Number: 182-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040747 **[Hazardous Materials Fees]**

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings. (Mayor)

Enacted Number: 184-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040748 **[Patient Rates]**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings. (Mayor)

Enacted Number: 185-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040757 **[Increasing the Emergency Response Fee imposed on telephone subscribers]**

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings. (Mayor)

Enacted Number: 186-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040759 **[Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and**

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 1.13-9, 1.15.1, 2A.221, 21.33 and 91.2, and amending the San Francisco Police Code by amending sections 674, 4903, 4904, 4905, 4908 and 4910, to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner-Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance and ordinances governing agreements with the State for pest detection, the establishment of fees for testing weighing and measuring devices, the inspection of commodities supplied to the City by contractors, the regulation of tobacco advertising, and the requirement that parking stations have Revenue Control Equipment. (Mayor)

Enacted Number: 187-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040764 **[Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]**

Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings. (Mayor)

Enacted Number: 188-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040767 **[Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and**

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers. (Mayor)

Enacted Number: 190-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Gonzalez, Hall
Absent: 1 - Daly

040239 **[Extending provisional appointments]**

Resolution approving extension to January 31, 2005 of provisional appointments of employees in classifications 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 9343 Roofer, and H-30 Captain (Fire Department) and 60 promotive provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, and 0943 Manager VIII. (Human Resources Department)

Enacted Number: 439-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040491 **[Extending provisional appointments]**

Resolution approving extension to January 31, 2005 of 42 entrance provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, and 0943 Manager VIII.

Enacted Number: 441-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040785 **[Fiscal Emergency Proposition J Contract - Mainframe Support]** Mayor

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.

Enacted Number: 444-04

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Sandoval
Noes: 3 - Ammiano, Gonzalez, Peskin
Absent: 1 - Daly

From the Budget Committee "Without Recommendation"

040729 **[Waiver of storage fees for stolen vehicles owned by residents]**

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco. (Mayor)

NOT FINALLY PASSED by the following vote:

Ayes: 5 - Ammiano, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Dufty, Hall, Ma, Maxwell
Absent: 1 - Daly

040746 **[Economic and Workforce Development Department]**

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department. (Mayor)

Enacted Number: 183-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Finance and Audits Committee

040540 **[Prevailing wages in contracts for moving services; nonprofit organizations exclusion]** **Supervisors Ammiano, Daly**

Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

Enacted Number: 169-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040745 **[Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6: to provide that the annual Rent Board fee per unit billed to the owners will continue to be determined by the City Controller based on the total projected annual cost of funding the Rent Board divided by the number of rental units required to pay the fee, but that the Board of Supervisors would no longer be required to periodically enact a statutory maximum fee per unit; to eliminate the two-year sunset provision enacted in 2002 and provide that an owner may instead recover up to 50% of the annual fee for each unit from the occupants of the unit, instead of permitting recovery of $21.50 per unit as provided during the last two years and instead of permitting recovery of 100% as provided in prior years; and, making environmental findings. (Mayor)

Enacted Number: 170-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040909 **[Neighborhood Historical Resources Preservation Bonds]** **Supervisors Peskin, McGoldrick, Sandoval, Hall**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty

Million Dollars ($60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.

(Fiscal impact.)

Enacted Number: 159-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ma

040944 **[Payment of Reward]** Mayor

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.

Enacted Number: 158-04

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Rules Committee

040642 **[Charter Amendment - Authorizing health plans for City residents]** **Supervisors Daly, Ammiano**

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

Supervisor Ammiano requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040645 **[Charter Amendment - Non-Citizen Voting in School Board Elections]** **Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Ma

040646 **[Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]** **Supervisors Hall, McGoldrick**

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

Supervisor McGoldrick requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Maxwell

From the Rules Committee "Without" Recommendation

040643 **[Charter Amendment - Health Service System]** Supervisors Daly, McGoldrick

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Sandoval
Noes: 4 - Alioto-Pier, Maxwell, McGoldrick, Peskin

Supervisor McGoldrick, seconded by Supervisor Daly, moved to rescind the previous vote.

Motion carried without objection.

ORDERED SUBMITTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Sandoval
Noes: 2 - Maxwell, Peskin

040647 **[Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]** Supervisors Sandoval, Daly

Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed $250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 3 - Daly, Gonzalez, Sandoval
Noes: 8 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

040981 **[Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the** **Supervisor Gonzalez**

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Dufty, Ma

Recommendations of the Rules Committee

040721 **[Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the Elections Commission in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections. (City Attorney)

Enacted Number: 172-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

041028 **[Payment of Attorneys Fees]**

Ordinance authorizing payment of attorneys fees and costs incurred by the Civil Service Commission by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as

Director of the San Francisco Department of Elections.

NOT FINALLY PASSED by the following vote:
Ayes: 4 - Alioto-Pier, Dufty, Ma, Maxwell
Noes: 6 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Peskin
Absent: 1 - Sandoval

From the Rules Committee with Recommendation "Do Not Pass"

040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007. (City Attorney)

Supervisor Maxwell dissented in Committee.

Enacted Number: 171-04
FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 2 - Daly, Gonzalez
Absent: 1 - Sandoval

CALLED FROM COMMITTEE

040592 [Payroll Expense Tax Exclusion for Biotechnology Business] Supervisors Alioto-Pier, Ma, Hall

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Gonzalez, Sandoval

NEW BUSINESS

Recommendations of the City Services Committee

040421 [Supporting AB 2146] Supervisor Peskin

Resolution urging the California State Legislature to support AB 2146, legislation establishing a pilot program to limit the number of Dungeness crab traps allowed on each commercial fishing vessel and give authority to the Fish and Game Commission to regulate the Dungeness crab industry.

Enacted Number: 440-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

040699 [Design-Build Agreement for a Solar Power Plant at Southeast Water Pollution Control Plant]

Resolution authorizing the San Francisco Public Utilities Commission's General Manager to sign a Design-Build Agreement (DBA) for $1.8 million between the San Francisco Public Utilities Commission and Sierra Electric, for the turnkey design and construction of a solar power plant at the San Francisco Public Utilities Commission's Southeast Water Pollution Control Plant (SEWPCP). (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 443-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

From the Finance and Audits Committee "Without Recommendation"

040744 **[Interdepartmental jurisdictional transfer of surplus property]** — Supervisors Peskin, McGoldrick

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Gonzalez
Absent: 1 - McGoldrick

Recommendations of the Land Use Committee

040141 **[Transit Impact Development Fee]** — Supervisors McGoldrick, Gonzalez

Ordinance repealing San Francisco Administrative Code Chapter 38 (Transit Impact Development Fee) and replacing it with a new Chapter 38 (Sections 38.1, through 38.14), to enact a new Transit Impact Development Fee.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040144 **[Basic Floor Area Ratio Limit for C-M Zoning Districts]** — Supervisors Daly, Gonzalez

Amended on page 1, line 10, by deleting entire " Section 1." and by renumbering "Section 2" to "Section 1"; and further amended, amendment of the whole bearing new title.

Supervisor Daly, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending the San Francisco Planning Code by amending Section 124(a) to provide that the basic floor area ratio limit for C-M Zoning Districts is 3.0 to 1 except for landmark buildings in C-M Zoning Districts; adopting findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Hall, Ma

040661 **[Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]**

Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

(Companion measure to File No. 040633.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040633 **[General Plan Amendment in connection with 55 Ninth Street]**

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

(Companion measure to File No. 040661.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Rules Committee

040752 **[Dissolving the Telecommunications Commission]** Mayor, Supervisors Dufty, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission. (Mayor)

Supervisor Dufty, seconded by Supervisor Ma, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending the San Francisco Administrative Code by amending Sections 11.86, 11.87, 11.88, and 11.89, to re-define the duties, responsibilities and authority of the Telecommunications Commission. (Mayor)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040754 **[Office of the City Administrator]**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Hall

040755 **[Department of Convention Facilities]** Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040760 **[Department of the Medical Examiner]** Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

From the Rules Committee "Without Recommendation"

040951 **[Appointment, Board of Appeals]** **Supervisor Gonzalez**

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.) Transmittal date - June 29, 2004

Supervisor Dufty, seconded by Supervisor Daly, moved to amend by replacing "July 1, 2006" with "July 1, 2008".

AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2008. (Clerk of the Board)

Supervisor Gonzalez requested to be added as a co-sponsor.

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recess

The Board recessed at the hour of 4:22 p.m

Reconvening of the Board

The Board at the hour of 4:45 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin,

Sandoval - 8

Quorum present.

Supervisors McGoldrick was noted present at 4:48 p.m.

Supervisors Daly was noted present at 4:50 p.m.

Supervisor Dufty was noted present at 4:55 p.m.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Recommendation of the Finance and Audits Committee

040954 **[Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]** Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier, Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars ($200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial

assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION (Fiscal impact.)

President inquired as to whether any member of the public wished to address the Board.

Ernestine Weiss; opposed to #58

Howard Strassman, Sierra Club; tax issues

Kate White, Housing Coalition; support of #58

Male Speaker; parking tax increase

Male Speaker; amend payroll tax

Jim Siegel; tax issues

Larry Evans; support tax measures

Mark Stanford; support tax measures

Richard Dietsel; support of tax measures

Theresa Guitan, SFGH employee; support of tax measures

John Kudinski, SEIU 790; support of tax measures

Ed Washshower; support of tax measures

Michael Light; Coalition of Public Health

Dr. of SFGH; support of tax measures

Vernon Jenkins; homeless issues

President declared public comment closed.

Enacted Number: 160-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

From the Finance and Audits Committee "Without" Recommendation

040751 **[Transactions and Use Tax]**

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040979 **[Business Tax]** Supervisor Ammiano

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax, until replaced through a subsequent voter-approved alternate business tax structure following a comprehensive analysis and report by the Controller based on two complete years of actual collections,on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, to a lower rate thereafter, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"); and (3) amend Article 6

(Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

NOT PASSED ON FIRST READING by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040758 **[Business Tax]** **Mayor**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040978 **[Business Tax]** **Supervisor Daly**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San

Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee. COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

NOT PASSED ON FIRST READING by the following vote:

Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 8 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Hall welcomed, introduced and presented a Commendation to Jim Crimen, a Police Officer visiting from Ireland.

COMMITTEE REPORTS

040987 **[Including biotechnology business to the First Source Hiring Program]** Supervisors Maxwell, Dufty, Gonzalez

Ordinance amending Administrative Code section 83.4 to define and include

biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues

Vernon Jenkins; general issues

Member of the Homeless Task Force; budget issues

Building Trades Local 3, Planning issues limiting development

Leo Chow; support of Item 70

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040994 **[Small Business Act]** **Supervisors Hall, Ma**

Resolution urging the United States Senate to continue funding the 7(a) loan program of the Small Business Act in order to insure the development of small businesses throughout the United States.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 454-04

ADOPTED

041011 **[Supporting AB 3042]** **Supervisors Ammiano, Dufty**

Resolution supporting AB 3042 which protects the child victims of

commercial sexual exploitation.

Enacted Number: 446-04
ADOPTED

041012 [Commending Daniel A. Sullivan] Supervisors Dufty, Ma, Maxwell, Alioto-Pier, Peskin

Resolution commending Daniel A. Sullivan for his years of contribution to the City and County of San Francisco.

Supervisor Peskin requested to be added as a co-sponsor.

Enacted Number: 447-04
ADOPTED

041013 [Commending Stanlee R. Gatti] Supervisors Dufty, A lioto-Pier

Resolution acknowledging and commending Stanlee R. Gatti for his service as the President of the San Francisco Arts Commission from January 1996 to July 2004 during which time he improved San Francisco's urban cultural environment.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Enacted Number: 448-04
ADOPTED

041014 [Ben Davis Inc.] Supervisors Daly, Maxwell, Gonzalez, McGoldrick, Ma

Resolution urging Ben Davis Inc. to act in good faith to reach a mutually satisfactory settlement on its wages and benefits package for its workers at the Ben Davis factory in San Francisco.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 449-04
ADOPTED

041016 [Manilatown] Supervisors Peskin, Sandoval, Ammiano, Dufty, Ma

Resolution supporting the establishment of Manilatown as a Filipino historical and cultural center in Chinatown.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 450-04
ADOPTED

041017 **[Community Action Plan for Seismic Safety (CAPSS) Report]** **Supervisors Ma, Alioto-Pier, Dufty**

Resolution urging the Department of Building Inspection to complete and finalize work on their Community Action Plan for Seismic Safety (CAPSS) Report - a study that will include cost-effective mitigation strategies and economic incentives to help avoid future disasters.

Enacted Number: 451-04
ADOPTED

041029 **[Authorizing the San Francisco Sheriff to enter into a contract with California Department of Corrections]** **Supervisor Sandoval**

Resolution authorizing the San Francisco Sheriff or his designee to enter into contract with the California Department of Corrections (CDC) for the provision of a Substance Abuse Treatment and Control Unit (SATCU) in the City and County of San Francisco when Parole and Community Services Division personnel conclude that there are reasonable grounds for believing that a parolee is addicted to, or habituated to, or is in imminent danger of addiction to controlled substances or alcohol.

Enacted Number: 453-04
ADOPTED

041010 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M04-89
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

Severed from Without Reference to Committee Agenda

Supervisor Hall requested that this matter be severed so that it could be considered separately.

041015 **[Urging Support for Preservation and Restoration of Belli Buildings]** Supervisor Peskin

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040559 **[Waiver of payment for additional police services]** Supervisors Maxwell, Dufty

Ordinance waiving payment of additional police services incurred by Black Diamond Dynasty for the production of the 2002 Juneteenth Festival pursuant to Article 10B.2 of the Administrative Code.

7/20/04, RECEIVED AND ASSIGNED to City Services Committee.

040561 **[Increasing the penalty for littering and nuisance violations, and providing for rewards for persons providing information leading to collection of penalties]** Supervisor Sandoval

Ordinance amending the San Francisco Police Code by amending Section 37, amending the San Francisco Health Code by amending Sections 283.1, 287, and 600, and amending the San Francisco Public Works Code by amending Section 174.2, all to increase the maximum administrative penalty for littering, illegal dumping of garbage, and maintaining a nuisance from $300 to $1,000, and amending the San Francisco Administrative Code by adding Section 10.100-234, to establish a Public Works Littering and Nuisance

Violation Reward Fund, to be used to reward persons who have provided information leading to the collection of those penalties.

7/20/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 8/19/2004.

040722 **[Amend height exemption for elevator penthouses from 10 feet to 16 feet]** Supervisor Elsbernd

Ordinance amending Section 260 of the Planning Code to provide for an increase in the height exemption for elevator penthouses from 10 feet to 16 feet, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/20/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/19/2004.

Resolutions

041015 **[Urging Support for Preservation and Restoration of Belli Buildings]** Supervisor Peskin

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

7/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/20/04, REFERRED to Land Use Committee. Supervisor Hall requested that this matter be referred to Committee.

040560 **[Adopting the 2004 Telecommunications Plan Update]** Supervisor Ma

Resolution adopting the 2004 Update to the Telecommunications Plan, as submitted.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040563 **[San Jose Avenue/Guerrero Street Pedestrian Safety Improvements]** Supervisors Dufty, Ammiano

Resolution establishing bicycle lanes on San Jose Avenue and Guerrero Street between Randall Street and Cesar Chavez Street; rescinding the part-time tow-away zone on Guerrero Street, southbound, between 26th Street and Cesar Chavez, and at Cesar Chavez Street, westbound between Guerrero and Dolores Streets; establishing no right-turn on red at Cesar Chavez Street, eastbound between Guerrero and Valencia Streets;

rescinding multiple right turn lanes on Guerrero Street at Cesar Chavez Street; and urging the establishment of four-foot wide, crosshatched, painted medians on both sides of the existing center medians on San Jose Avenue and Guerrero Street between 30th Street and Cesar Chavez Street.

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040904 **[Appointment - San Francisco Bay Conservation and Development Commission]** Supervisor Peskin

Resolution appointing David Owen, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee.

040977 **[Commending San Francisco Gem and Mineral Society]** Supervisor Ma

Resolution recognizing the San Francisco Gem and Mineral Society for its efforts and achievements and declaring August 2 - 8, 2004 to be "Gem and Mineral Week" in the City and County of San Francisco.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040993 **[Helen Wills Park Gift Acceptance]** Supervisor Peskin

Resolution accepting and expending a gift in the amount of $17,000.00 from the Syzygy Foundation for Helen Wills Park.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041031 **[Stenciled Graffiti Defacing San Francisco Sidewalks]** Supervisors Dufty, Alioto-Pier, Ma, Maxwell

Resolution urging the Department of Public Works and the City Attorney to jointly cite and collect damages from NBC Universal, parent company of USA Network, or its representatives for stenciling graffiti on San Francisco sidewalks; and urging the Department of Public Works to track all costs associated with the cleanup of the sidewalk graffiti.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041032 **[Issuance and sale of multifamily housing revenue bonds by CSCDA for National Farm Workers Service Center, Inc.]** Supervisor Dufty

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $26,000,000 for the Project (as

defined herein).

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041044 **[Commending The ARC of San Francisco and its "100 jobs in 100 days campaign]** **Supervisors Maxwell, Hall, Ma**

Resolution commending The ARC of San Francisco and its "100 Jobs in 100 Days Campaign" for their efforts on behalf of citizens with developmental and other disabilities.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041045 **[Commending H. Welton Flynn]** **Supervisor Sandoval**

Resolution acknowledging and commending H. Welton Flynn for his service as the Chairman of the Board of Directors for the San Francisco Municipal Transportation Agency.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041046 **[Proclaiming October 20, 2004 as A-day in San Francisco]** **Supervisor Sandoval**

Resolution proclaiming October 20, 2004 as A-day in San Francisco.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041047 **[Commending Bayanihan Cultural Organization]** **Supervisor Sandoval**

Resolution commending Bayanihan Cultural Organization for reaching a milestone of ten years of service educating youth in traditional Filipino culture.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendment

040899 **[Charter Amendment - Appointments to the Municipal Transportation Agency's Board of Directors]** **Supervisors Ammiano, Maxwell**

Charter amendment (First Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

7/20/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/19/2004.

Motions

040667 **[Declaration of Policy Concerning San Francisco Transactions and Use Tax Expenditures]** Supervisor Ammiano

Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the 7/27/04 Special Meeting at 1:00 p.m., as a Committee Report for Board agenda 7/27/04.

041034 **[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election]** Supervisor Gonzalez

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 2, 2004 Election.

7/20/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

040562 **[Transition of the Dept. of Aging and Adult Services to the new Human Services Agency - Impact on Services to Seniors and Adults with Disabilities]** Supervisor Dufty

Hearing on the impact of the transition that the Department of Aging and Adult Services to the new Human Services Agency will have on services and support for seniors and adults with disabilities.

7/20/04, RECEIVED AND ASSIGNED to City Services Committee.

040564 [Wireless Telecommunications Services (WTS) Facilities] Supervisor Ma

Hearing to consider issues surrounding the siting of Wireless Telecommunications Services (WTS) facilities in the City and County of San Francisco.

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040565 [SFUSD Mental Health Services for Students] Supervisor Ma

Hearing to discuss which San Francisco Unified School District sites provide on-site mental health services for students and to evaluate the needs and services currently provided.

7/20/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

040698 [2003-2004 San Francisco Civil Grand Jury Report, Incarceration and Beyond: Where do we go from here?] Supervisor Maxwell

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report on the incarceration and release of inmates.

7/20/04, RECEIVED AND ASSIGNED to Rules Committee.

040855 [Municipal Transportation Biennial Review] Supervisor McGoldrick

Hearing to consider the recently completed biennial review of the MTA's progress towards its adopted goals, objectives, and performance standards as required under Charter Section 8A.103. Last October, the MTA Board approved a contract entered into between the MTA and Nelson/Nygaard Consulting to perform this "Municipal Transportation Quality Review." The review has been completed and a final report has been presented to the MTA Board. This is the first Municipal Transportation Quality Review conducted since Proposition E was enacted and covers FY2001 and FY2002.

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040861 [Single-screen, Neighborhood Movie Theaters] Supervisor McGoldrick

Hearing to consider the survival of single-screen, neighborhood movie theaters, with a special focus on theaters in District 1, and what measures can be taken to ensure their continued survival.

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040898 [Stolen Vehicles] Supervisor Dufty

Hearing to consider how City Departments, especially the San Francisco Police Department and the Department of Parking & Traffic, can better work together in addressing the problems related to over 6,000 vehicles stolen in our City annually.

7/20/04, RECEIVED AND ASSIGNED to City Services Committee.

040901 **[Reforming the Taxi Industry]** Supervisor Gonzalez

Hearing to consider a proposed ordinance that would reform the taxi industry by repealing Prop K, municipalizing the process of issuing medallions by making the City owner of said medallions while issuing transferability rights of these same permits to taxi drivers, giving qualified drivers the option to buy such permits as currently practiced in other cities, giving rights to permit holders to sell such a permit at a City auction to other qualified drivers, giving older and disabled taxi drivers an exit strategy to leave the industry with health and retirement benefits and dedicating a percentage of funds raised by the transfer of such permits to health services and down payment assistance for purchase of such permits by taxi drivers.

7/20/04, RECEIVED AND ASSIGNED to City Services Committee.

Report

041033 **[Youth Commission Annual Report]**

Report from the San Francisco Youth Commission. (Clerk of the Board)

7/20/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 27, 2004, Special Order at 3:00 p.m.

PROPOSED ORDINANCES

040974 **[Zoning Map Amendment in connection with Habitat For Humanity Project]** Supervisor Sandoval

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

7/7/04, RECEIVED AND ASSIGNED to Land Use Committee.

040975 [Settlement of Lawsuit - Jean B. Applebaum]

Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for $240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al. (City Attorney)

7/12/04, RECEIVED AND ASSIGNED to Rules Committee.

040976 [Designating 1201 Ortega Street, the Infant Shelter, as a Landmark] Supervisor Peskin

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

7/9/04, RECEIVED AND ASSIGNED to Land Use Committee.

040980 [Deadlines for correction and review of ballot arguments]

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election. (Elections Department)

7/9/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040972 [Official Advertising - Type 1 consecutive day official advertising]

Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

7/7/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040973 [Official Advertising - Type 2 non-consecutive day official advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

7/7/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041021 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

7/12/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 17, 2004, at 3:00 p.m.

041023 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

7/12/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 17, 2004, at 3:00 p.m.

041026 [Extension of Agreement with PRWT Services, Inc]

Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Parking and Traffic Department)

7/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the August 11, 2004 meeting.

In Memoriams

Mario A. Borja (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 8:40 p.m.

adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 17, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
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AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請电 (415) 554-7701

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The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
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The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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City and County of San Francisco

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MEETING MINUTES

Tuesday, July 27, 2004
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony*

Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

040896 [Contracting Out Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

Enacted Number: 458-04

ADOPTED

040941 [Contracting Out Airport Information Booth Services] **Mayor**

Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than in the work were performed by City and County employees.

Enacted Number: 459-04

ADOPTED

040942 **[Contracting Out Shuttle Bus Service]** Mayor

Resolution approving the Controller's certification that shuttle bus service for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees.

Enacted Number: 460-04
ADOPTED

040966 **[Contracting out Airport Employee Parking Services]**

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

Enacted Number: 461-04
ADOPTED

040967 **[Contracting out Airport Public Parking Services]**

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

Enacted Number: 462-04
ADOPTED

Recommendation of the Land Use Committee

040987 **[Including biotechnology business to the First Source Hiring Program]** Supervisors Maxwell, Dufty, Gonzalez

Ordinance amending Administrative Code section 83.4 to define and include biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program.

Enacted Number: 207-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

040725 [Government Funding for Fiscal Year 2004-2005]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005. (Mayor)

(Fiscal impact.) Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

Enacted Number: 197-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040726 [Public Employment, Fiscal Year 2004-2005]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Mayor)

Supervisor Daly dissented in Committee. (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than

August 1, 2004.)

Enacted Number: 198-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

From the Finance and Audits Committee "Without" Recommendation

040744 [Interdepartmental jurisdictional transfer of surplus property] Supervisors Peskin, McGoldrick

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund. (Mayor)

Enacted Number: 202-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Gonzalez

040751 [Transactions and Use Tax]

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor. (Mayor)

Enacted Number: 195-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

040758 [Business Tax] Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a

new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed $30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

Enacted Number: 196-04

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

040592 **[Payroll Expense Tax Exclusion for Biotechnology Business]** **Supervisors Alioto-Pier, Ma, Elsbernd**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

Supervisor Sandoval, seconded by Supervisor Daly moved to rerefer this matter to Committee.

Motion to rerefer this matter to Committee failed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval

Noes: 7 - Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Supervisor Gonzalez, seconded by Supervisor Ammiano, moved to amend by inserting "a 5 year sunset clause" and "a yearly reporting provision by the biotechnology industries."

Motion to amend failed by the following vote:

Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval

Noes: 7- Alioto-Pier, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Supervisor Hall, seconded by Supervisor Ammiano, moved to amend by inserting a clause "that biotechnology industries receive tax credits for 7.5 years with a 10 year sunset clause".

Supervisor Hall, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Ma, Maxwell

Board to Sit as a Committee of the Whole on August 10, 2004.

Supervisor Hall, seconded by Supervisor Ammiano, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Daly, Gonzalez, Sandoval

Recommendations of the Land Use Committee

040141 [Transit Impact Development Fee] Supervisors McGoldrick, Gonzalez

Ordinance repealing San Francisco Administrative Code Chapter 38 (Transit Impact Development Fee) and replacing it with a new Chapter 38 (Sections 38.1, through 38.14), to enact a new Transit Impact Development Fee.

Enacted Number: 199-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 1 - Hall

040144 **[Basic Floor Area Ratio Limit for C-M Zoning Districts]** **Supervisors Daly, Gonzalez**

Ordinance amending the San Francisco Planning Code by amending Section 124(a) to provide that the basic floor area ratio limit for C-M Zoning Districts is 3.0 to 1 except for landmark buildings in C-M Zoning Districts; adopting findings.

September 14, 2004

Supervisor Daly, seconded by Supervisor Peskin, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040661 **[Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]**

Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

(Companion measure to File No. 040633.)

Enacted Number: 201-04

FINALLY PASSED.

040633 **[General Plan Amendment in connection with 55 Ninth Street]**

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

(Companion measure to File No. 040661.)

Enacted Number: 200-04

FINALLY PASSED.

Recommendations of the Rules Committee

040752 **[Dissolving the Telecommunications Commission]** Mayor, Supervisors Dufty, Ma

Ordinance amending the San Francisco Administrative Code by amending Sections 11.86, 11.87, 11.88, and 11.89, to re-define the duties, responsibilities and authority of the Telecommunications Commission. (Mayor)

Enacted Number: 203-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Noes: 2 - Daly, Peskin

040754 **[Office of the City Administrator]**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department. (Mayor)

Enacted Number: 204-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040755 **[Department of Convention Facilities]** Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.

Enacted Number: 205-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

040760 **[Department of the Medical Examiner]** Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.

Enacted Number: 206-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Daly

NEW BUSINESS

Recommendation of the City Services Committee

040889 [Requesting Real Estate Department to appraise the property at 220 Jones Street] Supervisor Gonzalez

Resolution requesting the Real Estate Department to appraise the parcel at 220 Jones Street and return a fair market value to the Board of Supervisors.

Enacted Number: 457-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

040972 [Official Advertising - Type 1 consecutive day official advertising]

Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

Enacted Number: 463-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040973 [Official Advertising - Type 2 non-consecutive day official advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type

2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

RE-REFERRED to the Finance and Audits Committee by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

SPECIAL ORDER 3:00 P.M.

041033 **[Youth Commission Annual Report]**

Report from the San Francisco Youth Commission. (Clerk of the Board)

Peter Lonergan, presented the Annual Youth Commission Report

Community Affairs Officer, Youth Commission

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

President Gonzalez introduced Mr. Wright, Member of British Parliament, Labor Party.

Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to Diane Perez, Clerk of the Board's staff member in recognition of her retirement.

Gloria L. Young, Clerk of the Board, expressed her gratitude to Diane Perez for her excellent service to the Clerk's Office and to Ms. Young.

Members of the Board also expressed their gratitude to Ms. Perez and recognized her outstanding service with the Clerk's Office.

Supervisor Ammiano introduced, welcomed and presented a Commendation for Richard Apodaka.

Supervisor Peskin introduced, welcomed and presented a Commendation to Allistair Monroe, North Beach Jazz Festival.

COMMITTEE REPORTS

040883 **[Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission]**

Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission. (Clerk of the Board)

Enacted Number: M04-91

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040667 **[Declaration of Policy Concerning San Francisco Transactions and Use Tax Expenditures]** **Supervisor Ammiano**

Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for trauma and emergency services, low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.

Enacted Number: M04-90

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

040688 **[Open Government Ordinance to provide for more public accessiblity to meetings and documents, more public participation and to safeguard the maintenance of records]**

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

President Gonzalez, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues

Richard Robertson; general issues

Vernon Jenkins; general issues

Female Speaker; access to healthcare

Julianna; health care ordinance

John Adonna; general issues

Helen Weiss; health care ordinance

Della Reed; health care ordinance

Female Speaker; health care ordinance

Local 250 Shop Steward; health care ordinance

FOR ADOPTION WITHOUT COMMITTEE

REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040560 **[Adopting the 2004 Telecommunications Plan Update]** **Supervisor Ma**

Resolution adopting the 2004 Update to the Telecommunications Plan, as submitted.

Enacted Number: 456-04

ADOPTED

040977 **[Commending San Francisco Gem and Mineral Society]** **Supervisor Ma**

Resolution recognizing the San Francisco Gem and Mineral Society for its efforts and achievements and declaring August 2 - 8, 2004 to be "Gem and Mineral Week" in the City and County of San Francisco.

Enacted Number: 464-04

ADOPTED

040993 **[Helen Wills Park Gift Acceptance]** **Supervisor Peskin**

Resolution accepting and expending a gift in the amount of $17,000.00 from the Syzygy Foundation for Helen Wills Park.

Enacted Number: 465-04

ADOPTED

041032 **[Issuance and sale of multifamily housing revenue bonds by CSCDA for National Farm Workers Service Center, Inc.]** **Supervisor Dufty**

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $26,000,000 for the Project (as defined herein).

Enacted Number: 455-04

ADOPTED

041045 [Commending H. Welton Flynn] Supervisor Sandoval

Resolution acknowledging and commending H. Welton Flynn for his service as the Chairman of the Board of Directors for the San Francisco Municipal Transportation Agency.

Enacted Number: 468-04

ADOPTED

041047 [Commending Bayanihan Cultural Organization] Supervisor Sandoval

Resolution commending Bayanihan Cultural Organization for reaching a milestone of ten years of service educating youth in traditional Filipino culture.

Enacted Number: 470-04

ADOPTED

041044 [Commending The ARC of San Francisco and its "100 jobs in 100 days campaign] Supervisors Maxwell, Hall, Ma

Resolution commending The ARC of San Francisco and its "100 Jobs in 100 Days Campaign" for their efforts on behalf of citizens with developmental and other disabilities.

Supervisors Hall and Ma requested to be added as a sponsors.

Enacted Number: 467-04

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

041034 [Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election] Supervisor Gonzalez

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 2, 2004 Election.

Amendment of the whole bearing same title.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

041031 **[Stenciled Graffiti Defacing San Francisco Sidewalks]** **Supervisors Dufty, Alioto-Pier, Ma, Maxwell**

Resolution urging the Department of Public Works and the City Attorney to jointly cite and collect damages from NBC Universal, parent company of USA Network, or its representatives for stenciling graffiti on San Francisco sidewalks; and urging the Department of Public Works to track all costs associated with the cleanup of the sidewalk graffiti.

Enacted Number: 466-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

041046 **[Proclaiming October 20, 2004 as A-day in San Francisco]** **Supervisor Sandoval**

Resolution proclaiming October 20, 2004 as A-day in San Francisco.

Amended on page 2, line 6, after "and" by inserting "now, therefore be it"

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

041069 **[Commendation for Marie Jobling]** **Supervisors Daly, Ma, Dufty**

Resolution commending Marie Jobling for her 12 years of services and leadership in Planning for Elders in Central City (CECC) and advocacy for seniors, the disabled, and other marginalized groups.

Enacted Number: 471-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

041060 **[MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]** — Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

7/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041061 **[MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]** — Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

7/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041065 **[Appropriate funding from the General Fund Reserve to increase staffing for the Disability, Evaluation and Assessment program]** — Supervisors Peskin, Dufty

Ordinance appropriating $336,863 to increase staffing of 4.54 FTEs to the Disability, Evaluation and Assessment program for the Department of Public Health and Amending the Annual Salary Ordinance for Fiscal Year 2004-05.

(Fiscal impact; Companion measure to File 041118.)

7/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041067 **[Amending Planning Code Section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District]** — Supervisor Gonzalez

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Haight Street

Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/27/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/26/2004.

041070 **[Zoning - Conditional Use for Change in Use or Demolition of a Movie Theater]** Supervisor Peskin

Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a movie theater; amending Planning Code section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a movie theater; making findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1; making environmental findings; and making the Ordinance retroactive to any site permit application submitted after July 27, 2004.

7/27/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/26/2004.

041071 **[Amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District]** Supervisor Peskin

Ordinance to amend the Planning Code by amending section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/27/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 8/26/2004.

041072 **[Amending the Administrative Code to Require Preparation and Consideration of Healthcare Impact Report in Event of Certain Hospital Construction Resulting in Replacement or Addition of Over** Supervisors Ma, Daly, Maxwell, Gonzalez, Ammiano, Peskin

Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.

7/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

041073 **[Prohibiting Parking of Trailers, Semi-trailers, Motorhomes, and Boats]** Supervisor Ma

Ordinance amending the San Francisco Traffic Code by amending Sections 3 and 132 and adding Sections 3.18 and 45 to define the term motorhome, prohibit the parking of any trailer, semi-trailer, motorhome, or boat on any

highway, street, or alley between the hours of 10:00 p.m. to 6:00 a.m., and set a penalty of $100 for the first violation.

7/27/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 8/26/2004.

Resolutions

041062 [Support of AB 2404] Mayor, Supervisor Elsbernd

Resolution supporting AB 2404 and urging the California legislature to pass AB 2404 prohibiting local governments from discriminating against any person on the basis of gender within community youth athletics programs.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041063 [Commending Deputy City Attorney Michael S. Cohen] Supervisors Peskin, Dufty, Maxwell, Elsbernd

Resolution commending Michael S. Cohen for nine years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Finance, Real Estate and Special Projects Division of the City Attorney's Office, and wishing him well in his future endeavors as the new Director of Base Reuse and Development in the Mayor's Office of Economic and Workforce Development.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041064 [Wi-Fi Technology] Supervisor Elsbernd

Resolution urging the San Francisco Department of Telecommunications provide access to Wi-Fi in all San Francisco city-owned buildings.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041076 [Approval of Port Lease Amendment and Restatement for Pier 23 Cafe, Inc.] Supervisor Peskin

Resolution approving Lease Amendment and Restatement of Port Lease No. 12275 between the San Francisco Port Commission and Pier 23 Cafe, Inc., a California corporation, for the lease of real property commonly known as the Pier 23 Cafe.

7/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

041077 **[Union Pacific Railroad track lease for Third St. and Cargo Way for the Third Street LRT Project]** Mayor

Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific (UP) and Burlington Northern Santa Fe (BNSF) Railroads that leases approximately three hundred ten (310) feet of UP's spur track at the intersection of Third Street and Cargo Way for a term of 25 years, rent of $10 per year, and a one-time administrative fee of $500 for a total cost of $750, and requires the City to repair and maintain the track and const and maintain a railroad crossing signal system.

7/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

041079 **[Eminent Domain - Resolution of Necessity (80 Natoma)]** Supervisors Daly, Hall, Ammiano, Dufty

Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

7/27/04, RECEIVED AND ASSIGNED to Board of Supervisors. 7/29/04 - Notice of Public Hearing and copy of Resolution of Necessity mailed to owners and interested parties. Mailing list provided by the Real Estate Department. 7/29/04 - Notices sent to Library Government Section to be posted. 729/04 - Advertisement sent for publication on July 31, 2004.

041083 **[Halloween in the Castro]** Supervisors Dufty, Ammiano

Resolution sanctioning Halloween in the Castro and encouraging coordinated planning of the event.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041084 **[Vocational services to mentally-ill psychiatric clients in San Francisco]** Supervisor Alioto-Pier

Resolution authorizing retroactively the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of $284,222, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2004 to June 30, 2007.

(Fiscal impact.)

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041085 [Commending Department of California Highway Patrol] Supervisor Ma

Resolution commending the Department of California Highway Patrol on the occasion of their 75th Anniversary.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041086 [Commending Sing Tao Daily] Supervisors Ma, Peskin

Resolution commending Sing Tao Daily for 66 years of outstanding service to the Chinese community in the Bay Area and declaring August 1, 2004 to be "Sing Tao Daily Day" in the City and County of San Francisco.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041087 [Commending National Night Out] Supervisor Ma

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 3, 2004, to be "National Night Out Day" in the City and County of San Francisco.

7/7/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041088 [Recurring FY 2004-2005 State grant funds to the Department of Public Health from the California Department of Health Services] Supervisor Ma

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2004-2005.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041089 [Declaring City Policy Regarding Subtidal Areas] Supervisor Peskin

Resolution adopting the Bay Conservation and Development Commission policy regarding Subtidal Areas as official policy of the City and County of San Francisco.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

041074 [Annual Assessment of City Departmental compliance with the Resource Conservation Ordinance] Supervisor Dufty

Hearing for the Department of the Environment to present its annual assessment on compliance by the City departments with the Resource Conservation Ordinance.

7/27/04, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the August 5, 2004 meeting. 7/29/04: Dept. of the Environment notified of the August 5, 2004 City Services Committee meeting.

041075 [Clean Water Master Plan] Supervisor Maxwell

Hearing on the Public Utility Commission's proposed process to develop a Clean Water Master Plan. The hearing will focus on the goals and objectives of the Clean Water Master Plan as well as the timeline and process, including avenues for public participation.

7/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

041080 [Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project]

Hearing to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

7/27/04, ASSIGNED to Board of Supervisors. Pursuant to File 041081, Board to sit as a Committee of the Whole on August 10, 2004, at 3:00 p.m.

Motions

041068 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041081 [Public Hearing - Eminent Domain] Supervisor Daly

Motion directing the Board of Supervisors to hold a public hearing on August 17, 2004, at 3:00 p.m., with the Board sitting as a Committee of the whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041066 **[Authorizing preparation of Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election]** **Supervisor Alioto-Pier**

Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot argument for ordinance submitted by petition for submittal to the voters at the November 2, 2004 Election.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED RESOLUTIONS

040171 **[Supplemental grant award for comprehensive drug court implementation services]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $53,742 from the California Department of Alcohol and Drug Programs (CADP) to supplement comprehensive drug court implementation funding and to enter into an agreement for the use of these funds; for the period of December 29, 2003, to December 28, 2004. (Public Health Department)

7/15/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Department of Public Health notified of August 5, 2004 City Services Committee meeting.

040435 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board of Directors to accept and expend $3,929,039 of Federal Earmarked Capital Assistance for design and construction of Muni's Islais Creek facility. (Municipal Transportation Agency)

7/16/04, RECEIVED AND ASSIGNED to Land Use Committee.

040436 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $8,857,610 of Federal New Starts Capital Assistance for the Third Street-Phase II, New Central Subway project excluding administrative overhead costs. (Municipal Transportation Agency)

7/16/04, RECEIVED AND ASSIGNED to Land Use Committee.

040483 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,753,574 of Assembly Bill 664 funds for Municipal Railway Transit projects, excluding administrative overhead costs. (Municipal Transportation Agency)

7/16/04, RECEIVED AND ASSIGNED to Land Use Committee.

041025 [Special Assessment Liens for Assessment Costs]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

7/26/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 17, 2004, at 3:30 p.m.

Requests Granted

From: Supervisor Sandoval

To: Department of Public Health

To: Recreation and Park Department

To: Department of the Environment

To: Department of Public Works

Requesting/Inquiring: To report on specific plans San Francisco has to fight the ongoing outbreak of the West Nile Virus in the State of California.Also, requesting an update on the collaborative prevention efforts between Department of Public Health, the San Francisco Public Utilities Commission, the Recreation and Parks Department, the Department of the Environment, the Department of Public Works and other relevant departments.

Due: August 10, 2004

Also please send copy to: Edwin Kaukali, C/o Cayuga Improvement Association,

314 Foote Avenue, San Francisco, CA 94112

From: Supervisor McGoldrick

To: All department or agency heads

Requesting/Inquiring: To submit a report listing which contracts your agency currently holds or contemplates entering into in the near future that would be affected by this legislation. Please also attempt to estimate the value of your department's obligations under these contracts and the name and address of the contractor. To the extent not already covered by this request, please also list any contracts your department has with city contractors that involve any work that is performed outside of the United States, the name of the contractors, and the total value of any such contracts. Please provide this report by August 16, 2004.

Please note that the bid preference legislation does not apply to a contract when (1) competitive solicitation is not required by law; (2) a solicitation is for a grant agreement with a non-profit entity or public agency; and (3) a contract is for a real estate transaction.

If you have any questions regarding this request, please direct them to Jerry Threet at

In Memoriams

Patricia Howett (Supervisor Peskin)

Judy Hurley (Supervisor Alioto-Pier and Supervisor Hall)

Constance (Concetta) DiFede Rivaldo (Supervisor Dufty and Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 5:50 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 17, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County

of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, August 10, 2004
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Matt*

Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Maxwell and Sandoval were noted absent.

Supervisor Maxwell was noted present at 2:08 p.m

Supervisor Sandoval was noted present at 2:10 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Maxwell, moved to approve the Meeting Minutes of June 22, 2004 and June 29, 2004. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

CONSENT AGENDA

Recommendations of the Land Use Committee

040892 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Noriega Street at 25th Avenue, making this intersection an all-way STOP;
Olmstead Street, stopping westbound Olmstead Street at University Street;
Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled;
Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue,

stopping the stem of this T-intersection;
Loehr Street, stopping Visitacion Avenue at Loehr Street, making this intersection an all-way STOP;
Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP;
Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and
Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Enacted Number: 476-04
ADOPTED

040893 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions; and Cunningham Place, south side (60-foot zone), legalizing existing conditions.

NO PARKING ANYTIME - ESTABLISH
Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND
Howard Street, at 5th Street.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Taylor Street, both sides, from Francisco Street to 124 feet northerly.

TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH
Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

NO PARKING ANYTIME - ESTABLISH
Sears Street, west of Sickles Avenue, from north curb to south curb along

the terminus of the street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND
Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Roanoke Street, both sides, between Arlington Street and southern terminus.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND
Harrison Street, north side, between 11th Street and Norfolk Street.
(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Enacted Number: 477-04
ADOPTED

040894 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

MUNI VEHICLES ONLY - ESTABLISH
Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

ONE-WAY STREET - ESTABLISH
Hattie Street, southbound, between Market and 18th Streets; and
Hattie Street, northbound, between Market and Corbett Streets.

RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH
Howard Street, from 3rd Street to 250 feet westerly.

BICYCLE LANES - ESTABLISH
Howard Street, north side, from 5th Street to Fremont Street.

TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND
Masonic Avenue, southbound, at Geary Boulevard. (Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Enacted Number: 478-04
ADOPTED

Recommendations of the Rules Committee

040712 **[Settlement of Lawsuit - Ray Mizyed and Gary Thompson]**

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for $135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

PASSED, ON FIRST READING

040713 **[Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]**

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for $280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

PASSED, ON FIRST READING

040860 **[Settlement of Lawsuit - Sixta Santiago]**

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for $115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

PASSED, ON FIRST READING

040895 **[Settlement of Lawsuit - Darius Hinton]**

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for $33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040897 **[Settlement of Lawsuit - William Salazar and Amy Salazar]**

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for $28,290 to William Salazar and $6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

040359 **[Appointment - Childhood Nutrition & Physical Activity Task Force]**

Resolution appointing Constance Mourning, for the unexpired portion of a one-year term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force.

Constance Mourning, new appointment, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

Enacted Number: 493-04

ADOPTED

041049 **[Appointment - Child Care Planning and Advisory Council]**

Resolution appointing Rita Times, for the unexpired portion of a three-year term ending December 31, 2006, to the Child Care Planning and Advisory Council; residency requirement waived.

Rita Times, new appointment, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

Enacted Number: 483-04

ADOPTED

041051 [Appointment - Immigrant Rights Commission]

Resolution appointing Vera Haile, Gilbert Alexander, Solomon Jones, Ivy Lee and Houston Zheng, terms ending June 6, 2006, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Gilbert Alexander, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Solomon Jones, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Ivy Lee, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006. Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Enacted Number: 484-04
ADOPTED

040119 [Appointment - Asthma Task Force]

Resolution appointing Gretchen Skaggs and Lucille Valdivia, terms ending June 30, 2005, to the Asthma Task Force.

Gretchen Skaggs, succeeding Deanna Rossi, resigned, seat 3, must be a representative of child care coordinating/advocacy organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005. Lucille Valdivia, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

Enacted Number: 473-04
ADOPTED

040905 [Appointment-Surplus Property Citizens' Advisory Committee]

Resolution appointing James Reilly, Jamie Armstrong, Richard Lee, Scott Clark, Ana Gutierrez, Leroy Moore, Jr. (residency requirement waived), and

Sister Bernie Galvin, terms to be determined, to the Surplus Property Citizens' Advisory Committee.

James Reilly, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined. Jamie Armstrong, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined. Richard Lee, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined. Scott Clark, new position, Seat 4, must be currently or formerly homeless, for a term to be determined. Ana Gutierrez, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined. Leroy Moore, Jr. (residency requirement waived), new position, Seat 7, must have expertise with disability community issues, for a term to be determined. Sister Bernie Galvin, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

Enacted Number: 479-04

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Land Use Committee

040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040887 [Mission Bay - Park P1 Improvements]

Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040891 [Mission Bay South Access and Other Agreements]

Resolution approving one new agreement to extend the terms of terminated agreement and to exercise options for extensions of seven other terminated agreements, all containing easements and licenses for access, use, maintenance and operation of infrastructure improvements in Mission Bay South, making such actions retroactive to the date of their respective terminations and authorizing other official actions. (Public Works Department)

Enacted Number: 475-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040974 [Zoning Map Amendment in connection with Habitat For Humanity Project] Supervisor Sandoval

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Supervisor Sandoval requested to be added as a sponsor.

Supervisor Daly, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040859 **[Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]** **Supervisor Peskin**

Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040976 **[Designating 1201 Ortega Street, the Infant Shelter, as a Landmark]** **Supervisors Peskin, Ma**

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Supervisor Ma requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040858 **[Accept-Expend Federal Grant]**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $82,400 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plan for Fiscal Year 2006 and the FY2004 SRTP Interim Update. (Municipal Transportation Agency)

Enacted Number: 474-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040933 **[Disapproving Street Encroachment at 601-605 Market Street]**

Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a

new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001). (Public Works Department)

(Companion measure to File 040934.)

Enacted Number: 480-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

041015 **[Urging Support for Preservation and Restoration of Belli Buildings]** Supervisor Peskin

Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

Enacted Number: 481-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Rules Committee

040856 **[Department of Elections Conflict of Interest Code]** Supervisor Gonzalez

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040980 **[Deadlines for correction and review of ballot arguments]**

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.

(Elections Department)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

The President inquired as to whether or not members of the public wished to address the Board.

Reg Kelly, faculty member UCSF, support of legislation

Brian O'Flynn; questions regarding community process

Tony Thurmond; support of legislation

Female speaker; opposed to legislation

Debradenise Brooks; support of legislation

Ovidio Valasquez; support of legislation

Female speaker; opposed to legislation

Roger Brandon; opposed to legislation

The President declared the public hearing closed.

Committee of the Whole Adjourn and Report Without Recommendation

040592 **[Payroll Expense Tax Exclusion for Biotechnology Business]** **Supervisors Alioto-Pier, Ma, Elsbernd**

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

Enacted Number: 209-04

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 4 - Ammiano, Daly, Gonzalez, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Maxwell welcomed members of the Scharod Fleming family and acknowledged their outstanding efforts since the death of their son to help end violence in the City.

Supervisor Ammiano welcomed, introduced and presented a Commendation to Mr. Maung Maung for his human rights activism in Burma.

SPECIAL ORDER 4:00 P.M.

Recess

The Board recessed at the hour of 3:39 p.m.

Reconvening of the Board

The Board at the hour of 4:16 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,

Maxwell, McGoldrick, Peskin - 10

Quorum present.

Supervisor Sandoval was noted present at 4:45 p.m.

Board of Supervisors Sitting as a Committee of the Whole

041078 **[Public Hearing - Creating a Disadvantaged Business Utilization Program.]**

Hearing to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program. (Clerk of the Board)

Deputy City Attorney, Sherri Sokeland-Kaiser

Virginia Harmon, Director of Human Rights Commission

Naomi Little; City Purchaser

Deputy Financial Officer; DPH

The President inquired as to whether or not members of the public wished to address the Board.

Owen Sellstorm; support of legislation

Francisco Di Costa; support of legislation

Brian Thomas; support of legislation

Brian Cheu; support of legislation

Anne Marie Cervantes; support of legislation

James Fields, Human Rights Commission Compliance Officer; support of legislation

Veronica Eng, Human Rights Commission Compliance Officer; support of legislation

Male Speaker; opposed to legislation

Aileen Hernandez; support of legislation

Brian Rodriquez; support of legislation

Male Speaker; support of legislation

Darylon Davis; support of legislation

R. Sahari; support of legislation

Darlene Ma; Member, MBE/WBE Advisory Committee to Human Rights Commission; support of legislation

Derrick Smith; support of legislation

Leslie Sukai; opposed to legislation

Male Speaker; support of legislation

James Kennedy, Member, MBE/WBE Advisory Committee to Human Rights Commission; support of legislation

Ed Fong; request amendments to proposed legislation

Matt Comguard; support of legislation

Jeffrey Lee, Bass Electric; support of legislation

Ms. Santos; support of legislation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

041117 [Establishing a Disadvantaged Business Enterprise Program] Mayor, Supervisors Ammiano, Dufty, Ma

Emergency ordinance amending the San Francisco Administrative Code by adding Chapter 14A to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting declaration of emergency; making applicable certain emergency contracting procedures; and providing for data collection to ensure nondiscrimination in City contracting.

Supervisors Dufty and Ma requested to be added as co-sponsors.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

COMMITTEE REPORTS

040322 **[Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver]** — **Supervisors Peskin, Elsbernd**

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

(Fiscal impact.)

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

041041 **[Approving Tiled Steps Project Street Encroachment at 16th Avenue and Moraga Street]** — **Supervisors Ma, Elsbernd, Maxwell, McGoldrick, Peskin**

Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and non-slip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 482-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

041072 **[Amending the Administrative Code to Require Preparation and Consideration of Healthcare Impact Report in Event of Certain Hospital Construction Resulting in Replacement or Addition of Over** — **Supervisors Ma, Daly, Maxwell, Gonzalez, Ammiano, Peskin**

Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for

consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

021825 **[RCN Proposed OVS Franchise]** Supervisors McGoldrick, Elsbernd

Ordinance granting a four year franchise to RCN Telecom Services, Inc. with an opportunity for two extensions of three years each, for use of the public rights-of way within the City and County of San Francisco to provide open video system services and cable internet services upon compliance with the terms of this franchise.

(Pursuant to Section 11.11 of the San Francisco Administrative Code, the Controller shall complete the City's review costs and estimate of applicant's proposal fee within 15 business days of receipt of application.)

Supervisors McGoldrick and Elsbernd requested to be added as sponsors.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.** The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bill Robertson; homeless issues

Sharon Gadbury, Small Business Owner; payroll tax exemption

Ernestine Weiss; PG&E issues

Vernon Jenkins; general issues

Male speaker; Human Rights newspaper article regarding China

Espanola Jackson; congratulating Supervisor Elsbernd

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

041097 **[Emergency Disadvantaged Business Program - August 10, 2004 Committee of the Whole]** — **Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on August 10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program.

Enacted Number: M04-96

APPROVED

041116 **[Suspending 30 Day Rule for Emergency Ordinance to Establish Disadvantaged Business Enterprise Program]** — **Mayor, Supervisor Ammiano**

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.

Enacted Number: M04-97

APPROVED

041062 **[Support of AB 2404]** — **Mayor, Supervisor Elsbernd**

Resolution supporting AB 2404 and urging the California legislature to pass AB 2404 prohibiting local governments from discriminating against any person on the basis of gender within community youth athletics programs.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 485-04
ADOPTED

041063 [Commending Deputy City Attorney Michael S. Cohen] Supervisors Peskin, Dufty, Maxwell, Elsbernd

Resolution commending Michael S. Cohen for nine years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Finance, Real Estate and Special Projects Division of the City Attorney's Office, and wishing him well in his future endeavors as the new Director of Base Reuse and Development in the Mayor's Office of Economic and Workforce Development.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 486-04
ADOPTED

041083 [Halloween in the Castro] Supervisors Dufty, Ammiano

Resolution sanctioning Halloween in the Castro and encouraging coordinated planning of the event.

Enacted Number: 487-04
ADOPTED

041084 [Vocational services to mentally-ill psychiatric clients in San Francisco] Supervisor Alioto-Pier

Resolution authorizing retroactively the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of $284,222, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2004 to June 30, 2007.

(Fiscal impact.)

Enacted Number: 488-04
ADOPTED

041085 [Commending Department of California Highway Patrol] Supervisor Ma

Resolution commending the Department of California Highway Patrol on the occasion of their 75th Anniversary.

Enacted 489-04

Number:
ADOPTED

041087 [Commending National Night Out] Supervisor Ma

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 3, 2004, to be "National Night Out Day" in the City and County of San Francisco.

Enacted Number: 490-04
ADOPTED

041088 [Recurring FY 2004-2005 State grant funds to the Department of Public Health from the California Department of Health Services] Supervisor Ma

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2004-2005.

Enacted Number: 491-04
ADOPTED

041089 [Declaring City Policy Regarding Subtidal Areas] Supervisor Peskin

Resolution adopting the Bay Conservation and Development Commission policy regarding Subtidal Areas as official policy of the City and County of San Francisco.

Enacted Number: 492-04
ADOPTED

041066 [Authorizing preparation of Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election] Supervisor Alioto-Pier

Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot argument for ordinance submitted by petition for submittal to the voters at the November 2, 2004 Election.

Enacted Number: M04-93
APPROVED

041068 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell,

Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M04-94
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

041081 [Public Hearing - Eminent Domain] Supervisor Daly

Motion directing the Board of Supervisors to hold a public hearing on August 17, 2004, at 3:00 p.m., with the Board sitting as a Committee of the whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

Amended by replacing "3:00 p.m." with "4:30 p.m."

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Motion be AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

Motion directing the Board of Supervisors to hold a public hearing on August 17, 2004, at 4:30 p.m., with the Board sitting as a Committee of the Whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

APPROVED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma,

McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

041086 [Commending Sing Tao Daily] Supervisors Ma, Peskin

Resolution commending Sing Tao Daily for 66 years of outstanding service to the Chinese community in the Bay Area and declaring August 1, 2004 to be "Sing Tao Daily Day" in the City and County of San Francisco.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

041064 [Wi-Fi Technology] Supervisor Elsbernd

Resolution urging the San Francisco Department of Telecommunications provide access to Wi-Fi in all San Francisco city-owned buildings.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

Supervisor Daly requested that this matter be referred to Committee.

Supervisor Elsbernd requested to be added as sponsor.

REFERRED to the City Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

041117 [Establishing a Disadvantaged Business Enterprise Program] Mayor, Supervisors Ammiano, Dufty, Ma

Emergency ordinance amending the San Francisco Administrative Code by adding Chapter 14A to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting declaration of emergency; making applicable certain emergency contracting procedures; and providing for data collection to ensure nondiscrimination in City contracting.

8/4/04, ASSIGNED UNDER 30 DAY RULE to Board of Supervisors, expires on 9/9/2004.

8/10/04, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisors Dufty and Ma requested to be added as co-sponsors.

8/10/04, FINALLY PASSED.

041137 **[Zoning - Interim Moratorium on Demolition of Single-screen Movie Theaters]** Supervisor McGoldrick

Urgency Ordinance approving an interim zoning moratorium on demolition of single-screen movie theaters for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

8/10/04, RECEIVED AND ASSIGNED to Land Use Committee.

041138 **[Board of Supervisors to respond on behalf of City departments to orders for the production of City records made under designated state and federal laws]** Supervisor McGoldrick

Ordinance amending the San Francisco Administrative Code, by adding Section 2.20, to authorize the Board of Supervisors to identify as "watch laws" those state or federal laws calling for the disclosure of information or records held by the City, where disclosure could violate of the rights of individuals under the State or Federal Constitutions, and to authorize the Board to respond on behalf of City departments to orders for the production of City information or records made under such watch laws.

8/10/04, RECEIVED AND ASSIGNED to Rules Committee.

041148 **[Dance and Place of Entertainment Permits- security requirements, increased penalty for violation]** Supervisors Maxwell, Dufty

Ordinance amending San Francisco Police Code Sec. 1022 to define "security plan"; amending Police Code Sec. 1023 to require applicants for dance permits to have a security plan, and to require owners or managers of places that are rented to persons planning to use the facility for a dance to inform such persons that a permit is required for such activity; amending Police Code Sec. 1027 to make the violation of Secs. 1023 through 1026 an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to $1000, and subject to revocation of the permit; amending Police Code Sec. 1060 to define "security plan;" amending Police Code Sec. 1060.5 to revise determination of application criteria to require a security plan; amending Police Code Sec. 1060.25 to increase the maximum penalty for violation of Article 15.1 to an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to $1000, and subject to revocation of the permit; adding Police Code Sec. 1060.29 to require one night event permits for one night events; and amending Police Code Sec. 2.26 to include one night events under the schedule of permits and filing fees.

8/10/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 9/9/2004.

041150 [Revising graffiti clean-up requirements for property owners and revising enforcement and abatement procedures where property owners fail to remove graffiti] Supervisor Elsbernd

Ordinance amending Article 23 of the San Francisco Public Works Code by (1) amending Sections 1301 through 1304, deleting existing Section 1305, amending and retaining part of existing Section 1306 as renumbered Section 1305, and amending and placing part of existing Section 1306 in new Section 1306, to require that property owners either remove graffiti from their property or request a hearing within 30 days of receiving a notice of violation, clarify and streamline review procedures for graffiti violations, and authorize special assessments to recover graffiti removal costs; and (2) making technical corrections to Sections 1307 and 1308.

8/10/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 9/9/2004.

041151 [Ellis Act amendments by California Legislature: expand residential tenant relocation payment eligibility where units are withdrawn from rental market under Ellis; prohibit owner withdrawal Supervisors Peskin, Ammiano, McGoldrick, Gonzalez, Daly

Ordinance implementing recent California State Legislature amendments of the Ellis Act (California Government Code □7060 et seq., see □7060 and 7060.1), by amending the San Francisco Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) at Sections 37.9(a)(13) and 37.9A(e) to provide that: when residential units are withdrawn from the rental market pursuant to the Ellis Act, each tenant who is relocated is entitled to a payment of $4,500 up to a maximum total per unit of $13,500, plus an additional $3,000 payment for each defined elderly or disabled tenant who is relocated (37.9A(e), for tenants who still reside in their units as of August 10, 2004); owners may not withdraw defined residential hotel units from the rental market pursuant to the Ellis Act if the hotel's occupancy permit was issued prior to January 1, 1990, and if the hotel did not file a notice of intent prior to January 1, 2004 to withdraw the units from the rental market (Section 37.9(a)(13)).

8/10/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/9/2004.

041154 [Zoning Map Amendments] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 32, 33, 36. 37, 38, 39, 40, 41, 43, and 48 from NC-2 (Small-Scale Neighborhood Commercial District) and RH-1 (Residential: One-Family) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

8/10/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/9/2004.

Resolutions

041086 [Commending Sing Tao Daily] Supervisors Ma, Peskin

Resolution commending Sing Tao Daily for 66 years of outstanding service to the Chinese community in the Bay Area and declaring August 1, 2004 to be "Sing Tao Daily Day" in the City and County of San Francisco.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

8/10/04, REFERRED to City Services Committee. Supervisor Daly requested that this matter be severed so that it might be considered separately. Supervisor Daly requested that this matter be referred to Committee.

041064 [Wi-Fi Technology] Supervisor Elsbernd

Resolution urging the San Francisco Department of Telecommunications provide access to Wi-Fi in all San Francisco city-owned buildings.

7/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

8/10/04, REFERRED to City Services Committee. Supervisor Daly requested that this matter be severed so that it might be considered separately. Supervisor Daly requested that this matter be referred to Committee. Supervisor Elsbernd requested to be added as sponsor.

041079 [Eminent Domain - Resolution of Necessity (80 Natoma)] Supervisors Daly, Ammiano, Dufty

Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

7/27/04, RECEIVED AND ASSIGNED to Board of Supervisors. 7/29/04 - Notice of Public Hearing and copy of Resolution of Necessity mailed to owners and interested parties. Mailing list provided by the Real Estate Department. 7/29/04 - Notices sent to Library Government Section to be posted. 729/04 - Advertisement sent for publication on July 31, 2004.

8/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

8/10/04, ASSIGNED to Board of Supervisors.

041130 [Accept-Expend State and Regional Grants] Supervisor Dufty

Resolution authorizing the Director of Transportation or his designee to

apply for, accept, and expend $559,600 in Bicycle Transportation Account, Bay Area Air Quality Management District, and Transportation Development Act grant funds to implement various projects and programs recommended in the San Francisco Bicycle Plan and to execute any and all associated documents.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041131 **[75% Waste Diversion Goal for City Departments]** **Supervisors Dufty, Gonzalez**

Resolution adopting a goal of 75% landfill diversion by the year 2010 for each City department.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041132 **[STOP Intersection - 23rd and Castro Streets]** **Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Castro Street and 23rd Street, making this intersection an all-way STOP.

(8/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or results in more than a negligible increase in the use of the street.)

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041134 **[Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]** **Supervisor Elsbernd**

Resolution authorizing the Director of Public Works to execute amendment to a design agreement for the Laguna Honda Hospital Replacement Program from $31,533,540 to $32,595,782.

8/10/04, RECEIVED AND ASSIGNED to City Services Committee.

041135 **[Commending Tony Hall]** **Supervisors Elsbernd, Dufty, Ma, Alioto-Pier, Gonzalez**

Resolution commending Tony Hall for his distinguished service as Supervisor of the City and County of San Francisco.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041136 **[Initiate the Designation of 900 Innes Avenue, the Hunter's Point School, as a City Landmark]** Supervisor Maxwell

Resolution initiating the designation of 900 Innes Avenue, the Hunter's Point School, Block 4646, Lot 03, as a City landmark pursuant to Planning Code Section 1004.1.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041139 **[Designating the USA PATRIOT Act as a "watch law" under Charter Section 16.124]** Supervisor McGoldrick

Resolution designating the USA PATRIOT Act as a "watch law" under Charter Section 16.124.

8/10/04, RECEIVED AND ASSIGNED to Rules Committee.

041146 **[Accept-Expend Federal Pass Through Grant]** Supervisor Elsbernd

Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of $26,325,036 from the State of California Office of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2004 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041147 **[Accept-Expend Federal Pass Through Grant]** Supervisor Elsbernd

Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of $2,896,198 from the State of California Office of Homeland Security for the purpose of providing financial assistance directly to selected jurisdictions for emergency prevention, preparedness, and response personnel to prevent, deter, respond to, and recover from threats and incidents of terrorism.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041149 **[Death Toll of 1906 Earthquake Victims]** Supervisor Alioto-Pier

Resolution setting aside the current death toll of 478 victims of the 1906 earthquake and amending that number no later than April 18, 2006.

8/10/04, RECEIVED AND ASSIGNED to City Services Committee.

041152 **[Approval of Port Lease Amendment for Mama Franceschi's, L.P.]** Supervisor Peskin

Resolution approving Lease Amendment of Port Lease No. 8993 between the San Francisco Port Commission and Mama Franceschi's, L.P., for the lease of real property commonly known as Franceschi's Restaurant.

8/10/04, RECEIVED AND ASSIGNED to Land Use Committee.

041153 **[Preferred Priority Projects funded with Neighborhood Historical Resources Preservation Bonds]** — **Supervisor Peskin**

Resolution providing that the eleven historical resources described in the bond ordinance for the Neighborhood Historical Resources Preservation Bonds are considered for funding before any other qualified project is funded.

8/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041156 **[Calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan]** — **Supervisors Dufty, Maxwell**

Resolution calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041157 **[Commendation of 11th Annual Pistahan Parade and Festival 2004]** — **Supervisors Ma, Elsbernd**

Resolution commending 11th Annual Pistahan Parade and Festival 2004.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041158 **[Commendation of 84th Anniversary of the 19th Amendment]** — **Supervisors Ma, Elsbernd**

Resolution commending the 84th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

041133 **[2003-2004 Civil Grand Jury Report, The More Things Change, The More They Stay the Same: The CCSF and SFUSD are Failing to Address the** — **Supervisors Dufty, Maxwell**

Educational Needs of the Bayview Hunters Point

Hearing to consider the recommendations of the 2003-2004 San Francisco Civil Grand Jury report, on the educational needs of the Bayview Hunters Point Community.

8/10/04, RECEIVED AND ASSIGNED to City Services Committee.

041140 [DPH Revenue Maximization] Supervisors Dufty, Ammiano

Hearing to consider and review the Department of Public Health's efforts and progress in maximizing revenues for services provided, and to review steps that the Department can take to assure that all department facilities charge and collect fees for services provided.

8/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041141 [Sale of Property at 2350 19th Avenue] Supervisor Daly

Hearing to consider the sale of property located at 2350 19th Avenue, which is currently being leased to the San Francisco Neighbors Resource Center.

(The purpose of the hearing is to determine the following: (a) When the property will be sold, and the proceeds it will generate; (b) Whether any state grants will have to be refunded if the property is sold; (c) What, if any, construction has occurred or is slated to occur on the site; (d) What, if any, city funding or resources have been contributed to the site).

8/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041142 [Enforcement of Weight Restrictions on San Francisco Streets] Supervisor Dufty

Hearing on existing restrictions on vehicle weights on many San Francisco streets to understand how the San Francisco Police Department and Department of Parking & Traffic ensure compliance.

8/10/04, RECEIVED AND ASSIGNED to City Services Committee.

041143 [Neighborhood Emergency Response Training (NERT) for High School Students] Supervisors Sandoval, Alioto-Pier

Hearing on the feasibility of creating and instituting and funding a Neighborhood Emergency Response Training (NERT) curriculum in every high school within the City and County of San Francisco.

8/10/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

041144 [Speed Bumps] Supervisor Sandoval

Hearing on the feasibility of the Department of Parking and Traffic installing speed bumps similar to those used in Concord, California.

8/10/04, RECEIVED AND ASSIGNED to City Services Committee.

041145 [Comcast Franchise Contract] Supervisor Sandoval

Hearing on the status of the renewal of the contract between the City and County of San Francisco and the Comcast franchise.

8/10/04, RECEIVED AND ASSIGNED to Land Use Committee.

041155 [Office of Economic Analysis] Supervisor Gonzalez

Hearing to consider a proposed ordinance to amend the San Francisco Administrative Code to create an Office of Economic Analysis under the Office of the Controller.

8/10/04, RECEIVED AND ASSIGNED to Rules Committee.

Motions

041159 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041097 [Emergency Disadvantaged Business Program - August 10, 2004 Committee of the Whole] Supervisor Ammiano

Motion for the Board of Supervisors to convene as a committee of the whole on August 10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program.

7/29/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

8/10/04, APPROVED.

041116 [Suspending 30 Day Rule for Emergency Ordinance to Establish Disadvantaged Business Enterprise Program] Mayor, Supervisor Ammiano

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30

days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.

8/4/04, ASSIGNED to Board of Supervisors.

8/10/04, APPROVED.

PROPOSED ORDINANCES

040505 [Fees for notary services] Supervisors Dufty, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of $10 for an Acknowledgment and $10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

4/20/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 5/20/2004.

6/7/04, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

6/10/04, RESPONSE RECEIVED. Planning Department, statutory ecemption, CEQA guidelines 15273 rates, tolls, fares & charges.

7/29/04, SUBSTITUTED. The County Clerk submitted a substitute ordinance bearing new title.

7/29/04, ASSIGNED to Finance and Audits Committee.

040557 [Update of Traffic Code reference pertaining to Taxicab Stands]

Ordinance amending Section 39 of the San Francisco Traffic Code, updating Section referenced in the San Francisco Police Code pertaining to Taxicab Stands. (Parking and Traffic Department)

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040558 [Amending Police Code to extend commercial passenger-carrying vehicle restriction on Lyon Street north of Green Street]

Ordinance amending Section 1183.17 of the San Francisco Police Code, adding two blocks of Lyon Street to the existing passenger-carrying commercial vehicle restricted areas. (Parking and Traffic Department)

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

041035 **[Amending San Francisco Traffic Code pertaining to Speed Limits on Market Street]**

Ordinance amending Sections 176.14 and 175.32 of the San Francisco Traffic Code, modifying speed limits on portions of Market Street. (Parking and Traffic Department)

7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

041090 **[Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]**

Ordinance Conditionally Designating 938-942 Market, the Garfield Building, As Landmark No. 244 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

(Companion measure to File 041091.)

7/29/04, RECEIVED AND ASSIGNED to Land Use Committee.

041113 **[Settlement of Lawsuit - Constance Ong, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for $500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)

8/2/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

041037 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
34th and Lawton Streets, stopping Lawton Street at 34th Avenue, making this intersection an All-Way STOP;
Grant Avenue and Vallejo Street, stopping Grant Avenue at Vallejo Street, making this intersection an All-Way STOP;
Mateo Street at Arlington Street stopping northbound and southbound Mateo Street at Arlington Street, making this intersection minor street STOP-controlled;
Cayuga and San Juan Avenues, stopping San Juan Avenue at Cayuga Avenue, making this intersection an all-way STOP; and
Grant Avenue and Green Street, stopping Grant Avenue at Green Street,

making this intersection an All-Way STOP. (Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)
7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

041038 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
12th Street, east side, from 119 feet to 140 feet south of Kissling Street (between the driveways of the parking garage).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Broadway, both sides, from Taylor Street to 250 feet westerly (legislates existing conditions);
Broadway, south side, from Taylor Street to Himmelman Place (legislates existing conditions);
Green Street, north side, From Taylor Street to Mason Street (legislates existing conditions); and
Jones Street, east side, from Green Street to Filbert Street (legislates existing conditions).

NO PARKING ANYTIME - RESCIND
Oak Street, north side, from Masonic Avenue to 200 feet westerly.

TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Oak Street, north side, from Masonic Avenue to 300 feet westerly.

TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
Oak Street, north side, from Ashbury Street to 100 feet easterly.

ANGLE (45-DEGREE) PARKING - ESTABLISH
25th Avenue, east side, from Noriega Street to 90 feet northerly; and
25th Avenue, east side, from Noriega Street to 72 feet southerly.

ANGLE (60-DEGREE) PARKING - ESTABLISH
Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking).

NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS - RESCIND
NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - ESTABLISH
Staples Street, north side, between Phelan and Hazelwood Avenues.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Florida Street both sides, between 22nd and 23rd Streets (1000 block); and
23rd Street, both sides, between Bryant and Florida Streets (2800 block).

NO PARKING 7 AM - 6 PM - RESCIND

Rolph Street, south side, from Mission Street to 100 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Noe and Sanchez Streets (400 block).

TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
TOW-AWAY, LANE MUST TURN RIGHT - ESTABLISH
Irving Street, south side, from 19th Avenue to 64 feet westerly. (Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)
7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

041039 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH
Hawes, Ingalls and Jennings Streets, southbound, onto westbound Ingerson Avenue.

NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH
Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto westbound Ingerson Avenue. (Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)
7/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

041040 **[Accept-Expend California State Coastal Conservancy, San Francisco Bay Conservancy Program Grant Funds]**
Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of $125,000 from the California State Coastal Conservancy (CSCC) for the purchase and installation of restroom facilities for the Fifield-Cahill Ridge Trail project on the peninsula watershed in San Mateo County. (Public Utilities Commission)
7/20/04, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Departments and interested parties notified of August 5, 2004 City Services Committee meeting.

041041 [Approving Tiled Steps Project Street Encroachment at 16th Avenue and Moraga Street] Supervisors Ma, Elsbernd, Maxwell, McGoldrick, Peskin

Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and non-slip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Public Works Department)

7/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

8/10/04, ADOPTED. Supervisor Elsbernd requested to be added as a co-sponsor.

041042 [Contracting for security guard services for the Hallidie Plaza Elevator at Market and Powell Streets]

Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Halladie Plaza by private contractor for a lower cost than if the services were performed by city and county employees. (Public Works Department)

7/20/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041058 [Accept-Expend Corporate Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $20,000 from the Safe Tree Program for the development of a Comprehensive Urban Forest Plan for the City and County of San Francisco. (Environment)

7/26/04, RECEIVED AND ASSIGNED to Land Use Committee.

041082 [Proposition J Contract - Security Guard Services: 1380 Howard Street]

Resolution concurring with Controller's certification that security guard services at the Department of Parking and Traffic Citation and Hearing Offices located at 1380 Howard Street can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

7/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041091 [Conditional approval of an historical property contract for 938-942 Market Street - The Garfield Building]

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 942 HTC LLC, the owner of conditional landmark No. 244 at 938-942 Market Street

and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Department)

7/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041092 **[Street Artist Spaces]**

Resolution approving two (2) former temporary winter holiday selling spaces as permanent selling spaces on Market Street, south side, 4th to 5th Streets, and three (3) temporary winter holiday spaces as permanent spaces on Market Street, north side, at Montgomery Street, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said two spaces on Market Street, south side, 4th to 5th Streets, from Police Code Section 2405(c)(6) requiring street artists to sell not within (10) ten feet of the outer edge of any entrance. (Arts Commission)

7/28/04, RECEIVED AND ASSIGNED to Land Use Committee.

041104 **[Proposition J Contract - Parking Citation and Collection System Services]**

Resolution concurring with Controller's certification that processing parking citations and collecting parking citation revenue for the City can be practically performed by a private contractor at a lower cost than by City and County employees. (Parking and Traffic Department)

7/29/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041114 **[Grant of Regional Funds]**

Resolution authorizing the Municipal Transportation Agency to accept and expend $35,710,000 of Regional Measure 2 funds for Municipal Railway capital projects. (Municipal Transportation Agency)

8/2/04, RECEIVED AND ASSIGNED to Land Use Committee.

Request Granted

From: Supervisor Alioto-Pier

To: Director, Mayor's Budget Office

To: Director, Department of Real Estate

To: Chief, Fire Department

Requesting/Inquiring: Inquiring as to the intent of and timeline and procedures for the fair market sale of 2350 19th Avenue.

From: Supervisor Daly

To: Controller

To: Director, Department of Children, Youth and Their Families

To: District Attorney

To: City Attorney

Requesting/Inquiring: To determine whether the San Francisco Neighbors Resource Center has properly expended funds for charitable purposes, or whether funds have been used for political purposes in violation of local law.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: To draft legislation prohibiting departments from leasing City property for less than fair market value, unless for a public purpose that is consistent with local strategic plans and approved by the Department Head, relevant commission (if any) and Mayor. Also, requesting that a list of all such leases be posted on the Internet.

From: Supervisor Dufty

To: Chief, Police Department

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquires as to the enforcement of weight restrictions on San Francisco streets by the San Francisco Police Department and Department of Parking and Traffic, and specifically their comment on the recent Slate.com article on California and SUVs. The City Services Committee will hear this issue.

From: Supervisor Maxwell

To: Chief, Fire Department

Requesting/Inquiring: Inquiring about the cleanup and maintenance of the Fire Department's Equipment Yard at Evans and Mendell. Residents around the area have to deal with excessive amounts of trash, overgrown weeds, illegal dumping, and packs of rats and animal defecation.

From: Supervisor McGoldrick

To: City

Nevis "Bud" Black (Supervisors Elsbernd, Daly)

Rhoda Robinson (Supervisor Peskin)

Darcus Thomas (Supervisor Sandoval)

Rodney Dion Dela Cruz (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 5:31 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 14 , 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
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Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

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City and County of San Francisco
Board of Supervisors

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MEETING MINUTES

Tuesday, August 17, 2004
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Matt*

Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:47 p.m. On the call of the roll Supervisors McGoldrick and Alioto-Pier were noted absent.

Quorum present.

Supervisor McGoldrick was noted present at 2:50 p.m

Supervisor Alioto-Pier was noted present at 3:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Meeting Minutes of July 13, 2004, July 20, 2004 and July 27, 2004. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

CONSENT AGENDA

Recommendations of the City Services Committee

040171 **[Supplemental grant award for comprehensive drug court implementation services]** **Supervisor Gonzalez**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $53,742 from the California Department of Alcohol and Drug Programs (CADP) to supplement comprehensive drug court implementation funding and to enter into an agreement for the use of these funds; for the period of December 29, 2003, to December 28, 2004. (Public Health Department)

Supervisor Gonzalez requested to be added as sponsor.

Enacted Number: 500-04
ADOPTED

040991 **[Accept - Expend State Grant]** Mayor, Supervisor Dufty
Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $386,423 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

Enacted Number: 511-04
ADOPTED

Recommendations of the Finance and Audits Committee

040583 **[Airport Concession Lease]** Mayor
Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

Enacted Number: 504-04
ADOPTED

040983 **[Contracting out Budget Analyst Services]**
Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees. (Clerk of the Board)

Enacted Number: 510-04
ADOPTED

041026 **[Extension of Agreement with PRWT Services, Inc]**
Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Parking and Traffic Department)

Enacted 515-04

Number:
ADOPTED

041042 [Contracting for security guard services for the Hallidie Plaza Elevator at Market and Powell Streets]

Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Halladie Plaza by private contractor for a lower cost than if the services were performed by city and county employees. (Public Works Department)

Enacted 519-04
Number:
ADOPTED

041027 [Contracting out Paratransit Services]

Resolution concurring with the controller's determination that it is more economical for the Municipal Transportation Agency to contract for paratransit services than to provide the same service with city and county employees for the period of Fiscal Year 2004-05. (Municipal Transportation Agency)

Enacted 516-04
Number:
ADOPTED

Recommendations of the Land Use Committee

040322 [Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver] Supervisors Peskin, Elsbernd

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

(Fiscal impact.)

Enacted 211-04
Number:
FINALLY PASSED

040859 **[Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]** Supervisor Peskin

Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

Enacted Number: 216-04

FINALLY PASSED

040887 **[Mission Bay - Park P1 Improvements]**

Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Enacted Number: 218-04

FINALLY PASSED

040974 **[Zoning Map Amendment in connection with Habitat For Humanity Project]** Supervisor Sandoval

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Enacted Number: 221-04

FINALLY PASSED

040976 [Designating 1201 Ortega Street, the Infant Shelter, as a Landmark] Supervisors Peskin, Ma

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

Enacted Number: 222-04

FINALLY PASSED

040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue. (Parking and Traffic Department)

Enacted Number: 214-04

FINALLY PASSED

040483 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,753,574 of Assembly Bill 664 funds for Municipal Railway Transit projects, excluding administrative overhead costs. (Municipal Transportation Agency)

Enacted Number: 502-04

ADOPTED

041058 [Accept-Expend Corporate Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $20,000 from the Safe Tree Program for the development of a Comprehensive Urban Forest Plan for the City and County of San Francisco. (Environment)

Enacted Number: 520-04

ADOPTED

040832 [Traffic Regulations] Supervisors Dufty, Ammiano

Resolution enacting traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
San Jose Avenue at Randall Street; and Guerrero Street, southbound at 24th Street.

Enacted Number: 506-04
ADOPTED

Recommendations of the Rules Committee

040856 **[Department of Elections Conflict of Interest Code]** Supervisor Gonzalez

Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules. (Elections Department)

Supervisor Gonzalez requested to be added as sponsor.

Enacted Number: 215-04
FINALLY PASSED

040980 **[Deadlines for correction and review of ballot arguments]**

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election. (Elections Department)

Enacted Number: 223-04
FINALLY PASSED

040712 **[Settlement of Lawsuit - Ray Mizyed and Gary Thompson]**

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for $135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San

Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

Enacted Number: 212-04
FINALLY PASSED

040713 [Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for $280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

Enacted Number: 213-04
FINALLY PASSED

040860 [Settlement of Lawsuit - Sixta Santiago]

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for $115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

Enacted Number: 217-04
FINALLY PASSED

040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for $33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 219-04
FINALLY PASSED

040897 [Settlement of Lawsuit - William Salazar and

Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for $28,290 to William Salazar and $6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco. (City Attorney)

Enacted Number: 220-04
FINALLY PASSED

PASS THE CONSENT AGENDA by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Severed from Consent Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

040653 [Urging DPT to install 4-way STOP signs at the intersection of Castro and 23rd Streets] Supervisor Dufty

Resolution urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Castro and 23rd Streets.

Supervisor Dufty, seconded by Supervisor Peskin, moved that this Resolution be TABLED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use Committee

021825 **[RCN Proposed OVS Franchise]** **Supervisors McGoldrick, Elsbernd, Gonzalez**

Ordinance granting a four year franchise to RCN Telecom Services, Inc. with an opportunity for two extensions of three years each, for use of the public rights-of way within the City and County of San Francisco to provide open video system services and cable internet services upon compliance with the terms of this franchise.

(Pursuant to Section 11.11 of the San Francisco Administrative Code, the Controller shall complete the City's review costs and estimate of applicant's proposal fee within 15 business days of receipt of application.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Enacted Number: 210-04

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

041072 **[Amending the Administrative Code to Require Preparation and Consideration of Healthcare Impact Report in Event of Certain Hospital Construction Resulting in Replacement or Addition of Over]** **Supervisors Ma, Daly, Maxwell, Gonzalez, Ammiano, Peskin**

Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.

Enacted Number: 224-04

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the City Services Committee

040574 [Liquor License, 3954 Geary Boulevard]

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 license to Sun Hui Kim for Fizzee's Sports Bar LLC, located at 3954 Geary Boulevard (District 1), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 503-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

040947 [Traffic Regulation - Steiner Street between Lombard and Chestnut Streets] Supervisor Alioto-Pier

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Steiner Street between Lombard and Chestnut Streets from 1:30 P.M. to 7:00 P.M. on every Tuesday between August 24, 2004 through September 28, 2004.

Enacted Number: 495-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

041040 [Accept-Expend California State Coastal Conservancy, San Francisco Bay Conservancy Program Grant Funds]

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of $125,000 from the California State Coastal Conservancy (CSCC) for the purchase and installation of restroom facilities for the Fifield-Cahill Ridge Trail project on the peninsula watershed in San Mateo County. (Public Utilities Commission)

Enacted Number: 518-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

Recommendations of the Finance and Audits Committee

040505 **[Fees for notary services]** Supervisors Dufty, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of $10 for an Acknowledgment and $10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

040955 **[Fee Adjustments - Planning Department Services]** Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

041060 **[MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]** Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

041061 **[MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]** Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by extending the term of

the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier

040953 **[Amended and Restated Property Exchange Agreement]** Supervisors Dufty, Gonzalez, Elsbernd

Resolution approving an amended and restated property exchange agreement substituting City property at the corner of Portola Drive and Burnett Avenue for property located at the corner of Gough and Grove Streets; adopting findings that the amended and restated exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

(Fiscal impact.)

Enacted Number: 509-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040992 **[Hunters Point Shipyard Cooperative Agreement for Fire Services]**

Resolution authorizing the San Francisco Fire Department to accept and enter into a grant agreement with the United States Navy reimbursing the San Francisco Fire Department for the costs of providing fire services to portions of the Hunters Point Shipyard remaining under federal ownership. (Mayor)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

From the Finance and Audits Committee "Without Recommendation"

040973 **[Official Advertising - Type 2 non-consecutive day official advertising]**

Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type

2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005. (Purchaser)

Continued to September 14, 2004

Supervisor Peskin, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Land Use Committee

020188 **[Designating 300 Bartlett Street, The Carnegie Mission Branch Library as Landmark No. 234]** — **Supervisors Ammiano, Peskin, Maxwell, Gonzalez**

Ordinance designating 300 Bartlett Street, the Carnegie Mission Branch Library, as Landmark No. 234 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, McGoldrick, Peskin, Sandoval
Absent: 2 - Ma, Maxwell

030142 **[Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]** — **Supervisors Elsbernd, Peskin, Maxwell**

Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, as Landmark No. 231 Pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, McGoldrick, Peskin, Sandoval
Absent: 2 - Ma, Maxwell

041003 **[Parking Control - Dr. Carlton B. Goodlett Place]** — **Supervisor Maxwell**

Ordinance amending Article 3, Section 32.6.21 of the San Francisco Traffic Code to extend the boundary of the existing permit area, remove the official city-owned vehicle requirement and to replace references to Polk Street with Dr. Carlton B. Goodlett Place to reflect official name change.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040365 **[Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use and add notice and review procedures for changes of use to a formula retail use]**

Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval

Ordinance amending Planning Code Section 312 to delete the requirement that changes of use per the use categories of Article 7, and changes in use to a retail coffee stores, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries uses, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312; to add the requirement that changes of use to a formula retail use be subject to the notification and review procedures of Section 312; to add the requirement that building permit applications for a change of use to a bar, liquor store, walkup facility, full-service restaurant, large fast food restaurant, small self-service restaurant, massage establishment, outdoor activity, or adult or other entertainment use be subject to the notification and review procedures of Section 312; to add the requirement that the Planning Department make available and update every six months its list of neighborhood organizations with interests in specific properties or areas; to provide that where a neighborhood organization that is required to receive project notification is not sent such notice the proposed project must be re-noticed; and to make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Continued to September 28, 2004

Supervisor Elsbernd, seconded by Supervisor Peskin, moved that this **Ordinance be CONTINUED. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040720 **[Authorizing the Vacation and Transfer to the Redevelopment Agency of a Portion of Stevenson Street between 3rd and 4th Streets]**

Ordinance ordering the summary vacation of an unused and unneeded portion of Stevenson Street between 3rd and 4th Streets; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated portion of Stevenson Street to the San Francisco Redevelopment Agency; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040912 **[Prohibiting eastbound vehicles on Market Street from making a right turn onto the entrance to the Central Freeway at Octavia Street]** **Supervisors Gonzalez, Maxwell, Dufty**

Resolution enacting traffic regulation on Market Street at entrance to the Central Freeway at Octavia Street.

Amendment of the whole bearing the same title.

Supervisor Peskin, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041077 **[Union Pacific Railroad track lease for Third St. and Cargo Way for the Third Street LRT Project]** **Mayor**

Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific (UP) and Burlington Northern Santa Fe (BNSF) Railroads that leases approximately three hundred ten (310) feet of UP's spur track at the intersection of Third Street and Cargo Way for a term of 25 years, rent of $10 per year, and a one-time administrative fee of $500 for a total cost of $750, and requires the City to repair and maintain the track and construct and maintain a railroad crossing signal system.

Enacted Number: 521-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

SPECIAL ORDER 3:00 P.M.

Recess

The Board recessed at the hour of 3:49 p.m.

Reconvening of the Board

The Board at the hour of 4:08 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Elsbernd, Gonzalez,

Peskin - 6

Quorum present.

Supervisors Dufty, Maxwell, McGoldrick, Sandoval were noted present at

4:10 p.m.

041020 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

041021 **[Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

Enacted Number: 512-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041022 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

041023 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

Enacted Number: 513-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

SPECIAL ORDER 3:30 P.M.

041024 [Public Hearing - 1053-1055 Clayton Street]

Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Clerk of the Board)

Continued to September 14, 2004

CONTINUED.

041025 [Special Assessment Liens for Assessment Costs]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

Property located at 1053 Clayton Street divided and continued to September 14, 2004.

Enacted Number: 514-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

041222 [Assessment of Costs Special Assessment Lien for 1053-1055 Clayton Street]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

Continued to September 14, 2004

CONTINUED AS DIVIDED.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Peskin, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to former Supervisor Tony Hall.

Supervisors Alioto-Pier, Dufty, Ammiano, McGoldrick, Peskin, Ma, Maxwell, Sandoval, Gonzalez congratulated former Supervisor Hall on his recent appointment as Executive Director of Treasure Island.

SPECIAL ORDER 4:00 P.M.

041055 [Public Hearing - Minor Sidewalk Encroachment Appeal - 2833 26th Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its letter dated July 8, 2004, approving a Minor Sidewalk Encroachment Permit No. 04MSE-125 to legalize the construction of a warped driveway ramp and two (2) planter boxes encroaching 3'-0" public sidewalk right-of-way to provide access to a garage below grade, fronting the property at 2833 26th Street, Lot 020 in Assessor's

Block 4334. (Appellant: Jason Lin.)

(Filed 7/22/04; companion measure to Files 041056, 041057; District 9.)

Nick Elsner, Department of Public Works

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

041056 **[Minor Sidewalk Encroachment Permit Appeal - 2833 26th Street]**

Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 2833 26th Street and denying the appeal. (Clerk of the Board)

Enacted Number: M04-98

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, McGoldrick, Sandoval
Absent: 3 - Ma, Maxwell, Peskin

041057 **[Minor Sidewalk Encroachment Permit Appeal - 2833 26th Street]**

Motion disapproving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 2833 26th Street and denying the encroachment permit. (Clerk of the Board)

TABLED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, McGoldrick, Sandoval
Absent: 3 - Ma, Maxwell, Peskin

SPECIAL ORDER 4:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

041080 **[Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project]**

Hearing to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

Continued to September 21, 2004

Supervisor Peskin, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Dufty

Committee of the Whole Adjourn and Report Without Recommendation

041079 **[Eminent Domain - Resolution of Necessity (80 Natoma)]** Supervisors Daly, Ammiano, Dufty

Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to September 21, 2004

Supervisor Peskin, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Dufty

COMMITTEE REPORTS

040904 **[Appointment - San Francisco Bay Conservation and Development Commission]** Supervisor Peskin

Resolution appointing David Owen, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.

Enacted 494-04

Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040771 **[Appointment - Bicycle Advisory Committee]**

Resolution appointing Francisco Hernandez to the Bicycle Advisory Committee for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

Francisco Hernandez, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.

Enacted 505-04
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041105 **[Appointment - SRO Hotel Safety and Stabilization Task Force]**

Resolution appointing Henry Karnilowicz to the SRO Hotel Safety and Stabilization Task Force for the unexpired portion of a term ending December 31, 2004.

Henry Karnilowicz, succeeding Kiran Patel, resigned, seat 2, must be an owner or manager of SRO Hotel, for the unexpired portion of a term ending December 31, 2004.

Enacted 522-04
Number:

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041106 **[Appointment - Library Citizens Advisory Committee]**

Resolution appointing Gayle Leyton to the Library Citizens Advisory Committee for a two-year term ending July 18, 2006.

Gayle Leyton, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.

Enacted Number: 523-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041107 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Erica Craven to the Sunshine Ordinance Task Force for the unexpired portion of a two-year term ending April 27, 2006.

Erica Craven, succeeding Nicole Dogwill, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for the unexpired portion of a two-year term ending April 27, 2006.

Enacted Number: 524-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041108 [Appointment - Power Plant Task Force]

Resolution appointing John Kosinski to the Power Plant Task Force for the unexpired portion of a two-year term ending November 1, 2005.

John Kosinski, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee, for the unexpired portion of a two-year term ending November 1, 2005.

Enacted Number: 525-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041109 [Appointment - Asthma Task Force]

Resolution appointing Neil Gendel to the Asthma Task Force for the unexpired portion of a two-year term ending June 30, 2005.

Neil Gendel, succeeding Ann Melamed, resigned, seat 7, must be a representative of an environmental health/justice organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Enacted Number: 526-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041110 **[Appointment - Childhood Nutrition and Physical Activity Task Force]**

Resolution appointing Marilyn Wann to the Childhood Nutrition and Physical Activity Task Force for the unexpired portion of a one-year term ending December 12, 2004.

Marilyn Wann, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004.

Enacted Number: 527-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041111 **[Appointment - Assessment Appeals Board No. 1]**

Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows:Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows:Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Resolution be RE-REFERRED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Ma, McGoldrick, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

Supervisor Elsbernd, seconded by Supervisor Peskin, moved to rescind the previous vote.

Motion to rescind the previous vote failed by the following vote:

Ayes: 3 - Alioto-Pier, Dufty, Elsbernd

Noes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1- Ma

041112 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Margaret Ruxton, Mervin Conlan and Richard Lee for a three-year term ending September 3, 2007 as members to the Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Mervin Conlan, succeeding himself, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Richard Lee, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Continued to September 21, 2004

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Alioto-Pier, Dufty, Sandoval

040857 **[Settlement of Claim - Cambridge Integrated Services, Inc.]**

Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang. (City Attorney)

Enacted Number: 507-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040931 **[Settlement of Lawsuit - Applied Remedial Technologies, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars ($80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040938 **[Settlement of Administrative Civil Liability Complaint]**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board,in an amount not to exceed $110,000, plus payment of an $8,000 penalty. (City Attorney)

Enacted Number: 499-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040975 **[Settlement of Lawsuit - Jean B. Applebaum]**

Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for $240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041036 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $93,666 from the Private Industry Council of San Francisco for providing employment and education services to young offenders in the county jail and after their release. (Sheriff)

Enacted Number: 517-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

040392 [Liquor License Transfer, 1528 Fillmore Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 601 Baker Street to 1528 Fillmore Street (District 5), to Sung W. Lee, dba Woori Food Market, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Progessions Code, with conditions.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

041114 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend $35,710,000 of Regional Measure 2 funds for Municipal Railway capital projects. (Municipal Transportation Agency)

Enacted Number: 528-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ma

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues

Richard Roberts

Wayne Lewis

Vernon Jenkins

Robert Pender; Vice President of the Lake Merced Association

Ray Martin

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

041130 **[Accept-Expend State and Regional Grants]** **Supervisor Dufty**

Resolution authorizing the Director of Transportation or his designee to apply for, accept, and expend $559,600 in Bicycle Transportation Account, Bay Area Air Quality Management District, and Transportation Development Act grant funds to implement various projects and programs recommended in the San Francisco Bicycle Plan and to execute any and all associated documents.

Enacted Number: 529-04

ADOPTED

041131 **[75% Waste Diversion Goal for City Departments]** **Supervisors Dufty, Gonzalez**

Resolution adopting a goal of 75% landfill diversion by the year 2010 for each City department.

Supervisor Gonzalez requested to be added as a co-sponsor.

Enacted Number: 530-04

ADOPTED

041132 **[STOP Intersection - 23rd and Castro Streets]** Supervisor Dufty

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Castro Street and 23rd Street, making this intersection an all-way STOP.

(8/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or results in more than a negligible increase in the use of the street.)

Enacted Number: 531-04

ADOPTED

041136 **[Initiate the Designation of 900 Innes Avenue, the Hunter's Point School, as a City Landmark]** Supervisor Maxwell

Resolution initiating the designation of 900 Innes Avenue, the Hunter's Point School, Block 4646, Lot 03, as a City landmark pursuant to Planning Code Section 1004.1.

Enacted Number: 533-04

ADOPTED

041146 **[Accept-Expend Federal Pass Through Grant]** Supervisor Elsbernd

Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of $26,325,036 from the State of California Office of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2004 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism.

Enacted Number: 497-04

ADOPTED

041147 **[Accept-Expend Federal Pass Through Grant]** Supervisor Elsbernd

Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of $2,896,198 from the State of California Office of Homeland Security for the purpose of providing financial assistance directly to selected jurisdictions for emergency prevention, preparedness, and response personnel to prevent, deter, respond to, and recover from threats and incidents of terrorism.

Enacted Number: 498-04
ADOPTED

041156 [Calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan] — Supervisors Dufty, Maxwell

Resolution calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan.

Enacted Number: 537-04
ADOPTED

041157 [Commendation of 11th Annual Pistahan Parade and Festival 2004] — Supervisors Ma, Elsbernd

Resolution commending 11th Annual Pistahan Parade and Festival 2004.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 534-04
ADOPTED

041158 [Commendation of 84th Anniversary of the 19th Amendment] — Supervisors Ma, Elsbernd

Resolution commending the 84th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 535-04
ADOPTED

041159 [Needle Exchange Emergency] — Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M04-99
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

Severed From Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

041135 [Commending Tony Hall] **Supervisors Elsbernd, Dufty, Ma, Alioto-Pier, Gonzalez**

Resolution commending Tony Hall for his distinguished service as Supervisor of the City and County of San Francisco.

Amended on page 1, line 5 , by replacing "November 2000" to "December 2000".

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by President Gonzalez, moved ADOPTION of the Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by President Gonzalez, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

041181 **[Commending Mila A. Palarca]** **Supervisor Daly**

Resolution commending Mila A. Palarca for her twenty-seven years as Health Service System employee of the City and County of San Francisco.

Enacted Number: 536-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Daly, Ma

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030667 **[Domestic Partner and Family Protection Rent Ordinance]** **Supervisors Gonzalez, Daly, Peskin, Ammiano**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.3 and 37.9: to prohibit rent increases in existing tenancies due to the addition of one or more occupants (including but not limited to a domestic partner or a newborn child or other family member of an integrated household as defined), even where a pre-existing rental agreement or lease specifically permits a rent increase for additional occupants, except that the landlord may petition the Rent Board for a rent increase under Section 37.8(e)(4) based on the increased cost for an additional occupant [Section 37.3(a)(11)]; and to prohibit evictions based solely on the addition of occupants even where a pre-existing rental agreement or lease prohibits additional occupants, unless the total number of occupants exceeds two persons per studio rental unit, three per one-bedroom unit, four per two-bedroom unit, six per three-bedroom unit and eight per four-bedroom unit, except where this total would exceed the number of occupants permitted under state law and/or other local codes or otherwise fail to comply with such state law and/or local codes (e.g., Planning, Housing and Building Codes) [Section 37.9(a)(2)]; and expressing the intent of the Board of Supervisors that the Rent Board Rules and Regulations regarding subletting consent procedures be substantially applied to this legislation.

4/14/03, RECEIVED AND ASSIGNED to Land Use Committee.

9/23/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

9/23/03, ASSIGNED to Land Use Committee.

8/17/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

8/17/04, ASSIGNED to Land Use Committee.

041171 **[Appropriate funding to the ranked-choice voting community education and ethnic media outreach program for radio and print ads]** Supervisor Gonzalez

Ordinance appropriating $75,000 from the General Fund Reserve to implement the ranked-choice voting community education and ethnic media outreach plan for the Department of Elections for fiscal year 2004-05.

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041172 **[Reenacting a Disadvantaged Business Enterprise Program]**

Emergency ordinance amending the San Francisco Administrative Code by adding Section 14A.03 to Chapter 14A to reenact a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A, make applicable certain emergency contracting procedures, and provide for data collection to ensure nondiscrimination in City contracting; adopting declaration of emergency. (Clerk of the Board)

8/17/04, RECEIVED AND ASSIGNED to Rules Committee.

041173 **[Funding from bond proceed sales of General** Supervisor McGoldrick

Obligation and Lease Revenue bonds for improvement and construction of open space/ neighborhood park projects and to re-appropriate prior year

Ordinance appropriating $68,800,000 of bond sale proceeds from General Obligation Bonds to fund the improvement and construction of parks and open space (as part of Proposition A) and placing $200,000 on reserve for issuance costs; appropriating $23,470,000 of bond sales proceeds from Lease Revenue Bonds to fund 10 neighborhood park improvement projects; and re-appropriating $2,783,973 of prior year Open Space project funding to various active capital improvement projects in current fiscal year 2004-05 for a total amount of $95,053,973.

(Fiscal impact.)

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled at the September 15, 2004 meeting. Companion Files 041174, 041175, 041176 and 041177

041174 [Appropriate bond proceeds for the demolition and other pre-construction activities for renovation and replacement of California Academy of Sciences facilities] Supervisor McGoldrick

Ordinance appropriating $8,075,000 of 2000 Academy of Sciences bond proceeds for capital improvement projects on CAS facilities in Golden Gate Park for Department of Recreation and Parks and the Department of Public Works for fiscal year 2004-05, placing $8,075,000 on reserve.

(Fiscal impact.)

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled at the September 15, 2004 meeting. Companion Files 041173, 041175, 041176 and 041177

041175 [Open Space Fund Financing] Supervisor McGoldrick

Ordinance approving the issuance and sale of lease revenue bonds payable from the Park, Recreation and Open Space Fund to finance various park projects as further described herein; approving the form of a Site Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain City-owned properties located in the City (as further described herein); approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an official notice of sale and a notice of intention to sell the lease revenue bonds; directing the publication of the notice of intention to sell the lease revenue bonds; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the payment of cost of issuance; authorizing reimbursement of certain expenditures; adopting findings under the California Environmental Quality Act and findings

pursuant to City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal impact.)

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled at the September 15, 2004 meeting. Companion Files 041173, 041174, 041176, and 041177

041178 **[Declaring blighted vacant lots to be a nuisance and authorizing DPW to abate such nuisances at the owners' expense following notice and opportunity for hearing]** Supervisor Elsbernd

Ordinance amending Article 15 of the Public Works Code by adding Sections 735 through 735.4 to declare blighted vacant lots a public nuisance, require owners to abate such nuisances and authorize DPW to abate such nuisances at the owners' expense following written notice from DPW and the opportunity for a hearing.

8/17/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 9/16/2004.

041185 **[Planning Department fees for code enforcement]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 351 and 355 to add fees related to code enforcement; and making environmental findings

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041189 **[Settlement of Bankruptcy Claims Dispute, In re METROMEDIA FIBER NETWORK, INC]** Supervisor Maxwell

Ordinance authorizing settlement at 75% of face value of disputed bankruptcy creditor claims filed by the City and County of San Francisco against Chapter 11 Debtors, In re METROMEDIA FIBER NETWORK, INC., et al., Chapter 11, Case Nos. 02-22736 (ASH) through 02-22742 (ASH), 02-22744 (ASH) through 02-22746 (ASH), 02-22749 (ASH), and 02-22751 (ASH) through 02-22754 (ASH) (Jointly Administered), (U. S. Bankruptcy Court, Southern District of New York), and directing attorney for Tax Collector to effectuate settlement.

8/17/04, RECEIVED AND ASSIGNED to Rules Committee.

041190 **[Reauthorization and Expansion of the First Source Hiring Program]** Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending sections 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of $50,000;

(2) include residential projects, as defined herein, to be subject to first source hiring requirements; (3) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (4) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (5) delete the ten-day limit on the first source interviewing requirement; (6) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (6) impose a fee schedule on covered entities; and (7) extend the operative date to January 1, 2009.

8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004.

041192 **[Amending Domestic Partnership requirements for marriages between persons of the same sex]** Supervisors Ammiano, Dufty

Ordinance amending Chapter 62 of the San Francisco Administrative Code by amending Section 62.4 to clarify that domestic partners who entered into a marriage nullified by the Courts retain their status as domestic partners; adding a new Section 62.14 to allow persons of the same sex who were not domestic partners when they married an opportunity to establish a domestic partnership effective as of the date of their marriage license; and adding a new Section 62.15 directing the County Clerk to send notices and forms to all persons who entered into marriages in San Francisco between February 12,2004 and March 11, 2004 to enable them to exercise their right to establish a retroactively effective domestic partnership.

8/17/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/2004.

Resolutions

041176 **[Bond Sale of California Academy of Sciences Improvement Bonds]** Supervisors McGoldrick, Elsbernd

Resolution authorizing and directing the sale of not to exceed $8,075,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2004B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled at the September 15, 2004 meeting. Companion Files 041173, 041174, 041175, and 041177

041177 **[Bond Sale of Neighborhood Recreation and Park Facilities Improvement Bonds]** Supervisors McGoldrick, Elsbernd

Resolution authorizing and directing the sale of not to exceed $68,800,000 General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2004A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

8/14/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled at the September 15, 2004 meeting. Companion Files 041173, 041174, 041175, and 041176

041179 **[Commending Bill Johnson]** Supervisors Elsbernd, Sandoval, Gonzalez

Resolution commending Bill Johnson on being the recipient of the OMRA's (Outer Mission Resident Association) "Claire Shea Person of the Year Award.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041180 **[Commending the Stern Grove Festival Association and the Recreation and Park Department]** Supervisors Elsbernd, Ammiano, Ma, Gonzalez

Resolution commending the Stern Grove Festival Association and the Recreation and Park Department for a successful season of high quality performances, and extending best wishes to the Association's efforts with the Stern Grove Festival's Legacy Campaign.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041181 **[Commending Mila A. Palarca]** Supervisor Daly

Resolution commending Mila A. Palarca for her twenty-seven years as Health

Service System employee of the City and County of San Francisco.
8/17/04, ADOPTED.

041184 **[Urging various City departments to investigate the costs, benefits, and technical issues associated with installing City-owned broadband facilities in conjunction with the City's planned** — **Supervisor Ammiano**

Resolution urging the Department of Telecommunications and Information Services, the Public Utilities Commission, the Department of Public Works, and the Mayor's Office of Public Finance to evaluate the costs, benefits, and technical issues associated with installing broadband facilities when the City and County of San Francisco conducts its planned rebuild of its sewer system, to enable the City and County of San Francisco to increase the availability of bandwidth for telecommunications, cable, and information services.

8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041186 **[Urging the PUC to fund a wave-generation power study at Ocean Beach]** — **Supervisor Gonzalez**

Resolution urging the PUC to fund the Electricity Production Research Institute (EPRI) to complete a study on Ocean Beach necessary for planned implementation of wave-generated power in San Francisco.

8/17/04, RECEIVED AND ASSIGNED to Land Use Committee.

041187 **[Bike Plan Update and the Transportation Authority]**

Resolution urging the Transportation Authority to facilitate the completion and adoption of the San Francisco Bike Plan Update by procuring consulting services necessary to develop required traffic and environmental analysis in a timely fashion and urging the Planning Department to provide to the Board of Supervisors and the Transportation Authority by July 1st, 2004 the specific criteria against which the environmental analysis will be evaluated.

8/17/04, RECEIVED AND ASSIGNED to Land Use Committee.

041193 **[Urging the Governor of California, California Senate and State Assembly to reject Assembly Bill 2006]** — **Supervisors Ammiano, Daly**

Resolution urging the Governor of California, California Senate and State Assembly to reject Assembly Bill 2006, and further urging the California Public Utilities Commission to accelerate its Community Choice proceedings and continue its coordination of electric utility procurement and Community Choice Aggregation efforts in order to protect the rights of California ratepayers.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041194 **[Maung Maung Day]** Supervisor Ammiano

Resolution declaring August 10th, 2004 to be Maung Maung Day.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041195 **[Supporting the United Farm Workers, and urging Gallo of Sonoma to extend health benefits to the remaining 75% of its workforce hired through farm labor contractors]** Supervisors Ammiano, Gonzalez, Daly

Resolution supporting the rights of working people to organize and furthermore urging Gallo of Sonoma and all employers to value the contribution of their workers and therefore project a positive image by meeting basic standards of fairness in all operations including fair wages, healthcare and benefits.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041196 **[Harvey Milk Memorial Funds Transfer]** Supervisor Gonzalez

Resolution requesting the office of the Controller of the City and County of San Francisco to transfer funds in the account for the Harvey Milk Memorial to the Harvey Milk City Hall Memorial Committee.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

041197 **[Supporting card check neutrality agreements specifically between the Department of Human Services and contracts which have been competitively bid]** Supervisors Sandoval, Gonzalez

Resolution supporting card check neutrality agreements for contracts with the Department of Human Services, the City and County of San Francisco.

8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

041182 **[Employee Re-classification and Layoff Process]** Supervisor Ammiano

Hearing to review the current practice of employee re-classification, the process by which City employees are being laid off, and to ensure that such

processes are consistent with the City's legal and contractual obligations.
8/17/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041183 **[Sources of revenue for outpatient medical services provided by DPH]** **Supervisor Ammiano**

Hearing to consider sources of revenue for outpatient medical services provided by the San Francisco Department of Public Health.
8/17/04, RECEIVED AND ASSIGNED to City Services Committee.

041188 **[African American Children in Foster Care]** **Supervisor Maxwell**

Hearing to review nine recommendations from a report on the overrepresentation of African American children in foster care, to be issued by the San Francisco Disproportionality Project on September 17, 2004.
8/17/04, RECEIVED AND ASSIGNED to City Services Committee.

Motion

041198 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
8/17/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

041118 **[Public Employment]**

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the creation of five positions at the Department of Public Health. (Human Resources Department)

(Fiscal impact; Companion measure to File 041065).
8/4/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041126 [Setting San Francisco's fiscal year 2004-2005 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2005. (Controller)

8/9/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

041127 [Setting S.F. Unified School District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2005. (Controller)

8/9/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

041128 [Setting S.F. Community College District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2005. (Controller)

8/9/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

PROPOSED RESOLUTIONS

041036 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $93,666 from the Private Industry Council of San Francisco for providing employment and education services to young offenders in the county jail and after their release. (Sheriff)

8/3/04, RECEIVED AND ASSIGNED to City Services Committee. Sheriff's Dept.

notified of August 12, 2004 City Services Committee meeting.

8/4/04, REFERRED TO DEPARTMENT. Referred to the Youth Commission for comment and recommendation.

8/17/04, ADOPTED.

041115 [Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

8/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

041123 [Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property] Supervisor Daly

Resolution fixing prevailing wage rates for workers engaged in theatrical or technical services (including but not limited to rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services) for shows on property owned by the City and County of San Francisco. (Civil Service Commission)

8/6/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041125 [Settlement of Claim - Gibson Group Trust]

Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed $67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California. (City Attorney)

8/9/04, RECEIVED AND ASSIGNED to Rules Committee.

041162 [Improve pedestrian safety in San Francisco by coordinating citywide and targeted community-based safety campaigns] Supervisors Dufty, Elsbernd, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $319,706 from the California Office of Traffic Safety (OTS) to improve pedestrian safety in San Francisco and to enter into an agreement for the use of these funds; for the period of October 1, 2004, to December 31, 2006. (Public Health Department)

8/6/04, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Dufty requested to be added as sponsor.

041163 **[Provide assertive case management to people with HIV and substance abuse and mental disorders, Year 2]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend second year grant funds in the amount of $487,805 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2004, to May 30, 2005. (Public Health Department)

8/6/04, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Dufty requested to be added as sponsor.

041164 **[Provide SSI application assistance to the chronically homeless and mentally ill in San Francisco]** Supervisors Daly, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $195,320 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2004, to April 30, 2005. (Public Health Department)

8/6/04, RECEIVED AND ASSIGNED to City Services Committee.

041165 **[Conveyance of Property in San Mateo County]**

Resolution authorizing a conveyance of property in the County of San Mateo; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act and ratifying acts and authorizing actions in furtherance of this resolution. (Real Estate Department)

8/6/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041166 **[Estate of Doris Campos]**

Resolution accepting the bequest of Doris Campos on behalf of needy senior residents of San Francisco and designating the Department of Aging and Adult Services as the department to manage the distribution of the estate. (Adult and Aging Services)

8/6/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft an ordinance mandating that within two fiscal years, all signage installed by the Department of Parking and Traffic must have graffiti-coating that has been approved by the Department of Public Works.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft an ordinance that establishes a Task Force on the future of utility undergrounding in the City and County of San Francisco. The task force will be comprised of 19 members as follows:

ú Each member of the Board of Supervisors shall nominate a member who resides in their Supervisoral District;

ú Four members to be named by the Mayor;

ú Two members representing San Francisco's Department of Public Works and Public Utilities Commission, nominated by the head of each Department; and

ú Two members representing Pacific Gas and Electric and SBC to be designated by the respective Company Director.

The Task Force will consider the future of utility undergrounding beyond the current 42-mile undergrounding program established pursuant to the settlement of litigation between the City and County of San Francisco and PG&E. Given increasing costs in the current program, there is uncertainty as to the prospects to maintain the pace of undergrounding in the next phase.

From: Supervisor Ammiano and Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft legislation that would provide gay and lesbian couples whose marriages were recently voided by the California State Supreme Court the option to have Domestic Partnership status retroactively instated from the date they were married in the City & County of San Francisco; and furthermore establish a Category 8 Marriage Equality Fund into which couples will be afforded the option to allocate their marriage license fee refund

In Memoriams

Jacqueline Anne Clark (Supervisor Daly)

Blanche O'Brien Absalon-Rios (Supervisor Dufty)

Lawrence "Larry" Lucero (Supervisor Dufty)

Czeslaw Milosz (Supervisor Gonzalez)

Steven Thompson (Supervisor Gonzalez)

Rita Baratta (Supervisor Ma)

ADJOURNMENT

There being no further business, the Board at the hour of 6:04 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 21 , 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

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